



MONTGOMERY COUNTY ETHICS COMMISSION GUIDE TO ETHICS

As County employees, we have a duty to the public we serve. We must be worthy of their confidence and trust; therefore, we must maintain high ethical standards and remain impartial in all of our decisions and actions. That is why it is so important for us to avoid situations that would in any way impair or even appear to impair our ability to make objective decisions.

Sometimes we are not sure of what we can or cannot do. That is why we have the Ethics Law. It serves as a “road map”, setting rules of conduct for County employees to follow when faced with difficult situations.

This pamphlet summarizes sections of the law and pinpoints ethical "land mines" you may encounter. It presents solutions to a number of typical situations as well as a reference to the portion of the Ethics Law where you find specific language pertaining to the situation.

This summary is not a substitute for the Ethics Law, Chapter 19A of the Montgomery County Code. Please contact the Ethics Commission at (240) 777-6670 or access our website at (www.montgomerycountymd.gov) for a complete copy.

WHAT DOES THE ETHICS LAW SAY ABOUT THESE SITUATIONS?

GIFTS

A contractor or potential contractor attempts to present you with gifts or money so that you will give him business. Just say "No".

The ethics law limits an employee's ability to solicit and accept gifts. If a member of your professional society wants to present you with an honorarium or award for excellence in your field, you may accept it graciously without fear of recourse. You may also accept reimbursement for food, travel and related entertainment in return for speaking at a meeting or participating in a panel as a public employee. However, you may not receive payment for this participation. (*Chapter 19A-16*)

HIRING RELATIVES

Your brother calls and asks you to use your contacts to get him a County job. Sorry—you will have to tell him to go through the regular channels, because, by law, you cannot help him. You must not appoint, hire, or suggest the advancement of a relative for any position under your control or jurisdiction. (Chapter 19A-14)

USING GOVERNMENT PROPERTY

You have a personal project that you need to complete, but your home computer is broken. What do you do? You may not use government resources (i.e., photocopiers, faxes, computers, etc.) or government buildings for personal projects. (Chapter 19A-14)

CONFIDENTIALITY

Can you be discreet? For most of us, keeping a confidence is essential to maintaining good relationships. It is equally important to your professional life. Simply put—confidential information (information available to you as a county employee but not to the public) must remain confidential. *(Chapter 19A-15)*

OUTSIDE EMPLOYMENT

*You want to continue your part-time job selling real estate. You may not have another job (including self-employment) in addition to your county job unless you obtain approval from the Ethics Commission. (Chapter 19A-12) **See also, the Ethics Commission's Administrative Policies and Procedures for Outside Employment (www.montgomerycountymd.gov/ethics)***

FINANCIAL DISCLOSURE

Some public employees are required to disclose information about their financial affairs. Individuals who must file include the County Executive, the Chief Administrative Officer, special assistants to the County Executive, members of certain boards, and other employees of the County government. Please consult with your department director or the Ethics Commission to find out when and if you are required to file. *(Chapter 19A-17 & 18)*

PENALTIES

The penalties for breaking the Ethics law can be severe: you could be fired, have your pay suspended or garnished, receive a public reprimand, or be fined up to \$1000 *(Chapter 19A-29, 30, and 32)*

COMPLAINTS

If you think a violation has occurred, contact the Ethics Commission so that the information can be brought to the attention of the appropriate authorities. You will be treated with respect and confidentiality will be maintained as provided by law. Creating and maintaining an ethical environment is a shared responsibility. That means we are in this together.

FACING QUESTIONS OF ETHICS

The next time you face an ethical crisis, ask yourself the following questions

- ***How will it affect my career, my future, my status in the community?***
- ***Would I like my actions on the front page of a national newspaper?***
- ***What would my peers think?***
- ***What are the penalties if I break the rules?***

GUIDELINES FOR ETHICAL ACTIONS

- ✓ Do not do anything that may impair or even appear to impair your objectivity.
- ✓ Do not accept gifts from people who are trying to influence you to give them special treatment or business.
- ✓ Do not ask your subordinates to give you gifts. If you have quasi-judicial authority, do not solicit campaign contributions from those who may come before you as a County official.
- ✓ Do not engage in outside employment, including self-employment, before seeking Ethics Commission approval.
- ✓ Do not employ a relative.
- ✓ Do not use government resources or buildings for personal projects.

Remember:

- ✓ If you break the law you could be subject to garnishment or suspension of wages, termination, or criminal fines of up to \$1000.

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For more information contact: Barbara McNally, Executive Secretary or Barry Alpher, Program Specialist, 240-777-6670.

(This pamphlet is not a substitute for the law.)