



## MONTGOMERY COUNTY ETHICS COMMISSION

Rahul K. Goel  
*Chair*

Steven Rosen  
*Vice Chair*

**March 18, 2019**

**Waiver 19-03-003**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver. Section 19A-8(b)(3) states that the Ethics Commission may grant a waiver of this prohibition if the Commission concludes that the outside employment will not be likely to create an actual conflict of interest.

Mary Chambers-Woodley is a Therapist with the Jail Addiction Services (JAS) program at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment at Interfaith Works until March 31, 2019, at the latest. JAS has contracts with DHHS, and DHHS funds the position for which a waiver is sought.

As a therapist with JAS, Ms. Chambers-Woodley's job is to conduct both group and individual therapy for inmates with substance abuse and mental health issues. She has no contract monitoring or procurement responsibilities in her County role. In her role at Interfaith Works, Ms. Chambers-Woodley would be training her replacement as the Program Director for the Interfaith Works Overflow Shelter and Interfaith Works Residences. These programs are located at Progress Place in Silver Spring. She anticipates having the new Program Director trained by March 31, 2019, at the latest. She has no contract monitoring or procurement responsibilities in her role with Interfaith Works.

In her role at Interfaith Works, she does not directly interact with the County's homeless population, but they are the beneficiaries of her actions. It is possible that there could be potential overlap between the two populations, where an inmate is released to the shelter by March 31, or a homeless individual with substance abuse or mental health issues is incarcerated by March 31. If such an instance occurs, she will ask her supervisor to give that client's case to another person in an effort to avoid any conflicts of interest.

Interfaith Works has several contracts with DHHS related to servicing the needs of the County's homeless population. Ms. Chambers-Woodley's role with Interfaith Works is fully funded by a contract with the County. However, she has no control over these contracts in either her DHHS

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job or her Interfaith Works job. Additionally, her role with Interfaith Works is limited in both time and scope. She is working for them in a knowledge transfer role until the end of March 2019. The contracts that Interfaith Works has with DHHS involve millions of dollars and her limited salary for the relevant period will be a miniscule percentage of those contracts. Because of these facts, the outside employment does not create an actual conflict with her County duties.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

In reaching this decision, the Commission has relied upon the facts presented by Ms. Chambers-Woodley in her request for a waiver. This waiver is conditioned on Ms. Chambers-Woodley meeting her commitment as regards avoiding a conflict of interest. This waiver expires on March 31, 2019.

For the Commission:



Rahul K. Goel, Chair