



MONTGOMERY COUNTY ETHICS COMMISSION

November 19, 2025

Waiver 25-11-014

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.

Gladys Herrera Garrido is a Government Assistance Eligibility Specialist II (GAES II) in the Social Services Division at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as a Direct Support Personnel at Target Community and Educational Services Inc. (TCES), an entity that has one contract with DHHS.

As a GAES II with the Social Services Division at DHHS, Ms. Herrera Garrido determines eligibility and need for medical assistance for aged, blind and disabled clients. She provides active case management for both applicants and active recipients of assistance.

In her proposed outside employment at TCES, she would assist developmentally disabled residents with daily personal care and grooming, including care of body, hair, teeth and clothing, essentially acting as both a caregiver and life skills coach.

She would have no contract monitoring, procurement or execution responsibilities in her role with TCES, and she has no contract monitoring responsibilities in her official capacity with DHHS either.

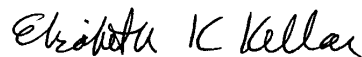
TCES has one contract with DHHS, and the funding goes to support TCES's principle mission of promoting normalization of persons with developmental disabilities. However, the outside organization has multiple funding sources that all support the principle mission, and the funding from the County is but a small portion of the organization's funding. Furthermore, Ms. Herrera Garrido would have no contract monitoring, procurement or execution responsibilities in her role with TCES, and she has no contract monitoring responsibilities in her official capacity with DHHS either. Additionally, the population Ms. Herrera Garrido serves in her County position is fully distinct from the population she would serve in her proposed role at TCES. If, however, a crossover client is presented to Ms. Herrera Garrido, she will recuse herself and ask that the client be reassigned to a different person.

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 reviewing 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).

The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Ms. Herrera Garrido not making referrals as a County employee to TCES.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission. In reaching this decision, the Commission has relied upon the facts as presented by Ms. Herrera Garrido.

For the Commission:



Elizabeth Kellar, Chair