

- Ethics Officer's February 2007 Monthly Report

Summary

This report provides a general update on the progress and activities for the Ethics Office for February 2007.

Attachments

None

Detailed Report

Activities

1. The Ethics Office staff is working with a district-wide Employee Recognition Committee regarding the plans for the Ethics Office Values Recognition Program.
2. Kirk O. Hanson, Executive Director, Markkula Center for Applied Ethics at Santa Clara University and faculty for Ethics and Leadership Camp: A National Program for Local Elected Officials, will speak at the Ethics Dinner-Discussion, Monday, April 9, 2007. The title of his speech is: *Managing Under the Microscope: Doing the Public's Business with Transparency and Integrity*.
3. The Employee Ethics Manual is in progress.
4. The Ethics Officer and Ethics Educator attended the Association for Practical and Professional Ethics Conference in Cincinnati, Ohio on February 22-25, 2007.
5. The Ethics Educator and Senior Administrative Analyst conducted Day 1 employee orientations for six new hires and the Ethics Educator conducted Day 2 orientations for nine employees.
6. The Ethics Educator made field visits to one facility, Soto Street, meeting with 26 employees.
7. The Ethics Office Web site logged 921 from February 1-28, 2007.

Logged Questions and Matters of Concern

1. **February 1, 2007 – Issue: Conflict of Interest**
Two employees expressed concern regarding the election of a member of Union leadership and concern that the particular employee might be in a conflict of interest situation regarding the handling of grievances. As Metropolitan departments do not double-handle complaints, the employee would not be in conflict in the handling of grievances. Concerns regarding the management of the union election are not within the scope of the Ethics Office. (205)
Disposition: Closed
2. **February 9, 2007 – Issue: Outside Employment**
An employee requested an opinion from the Ethics Office regarding his/her having been asked to serve as an expert witness in a matter regarding a contractor. The employee was notified that serving as an expert witness was not appropriate in this matter and was referred to the Legal Department for further consultation. (206)
Disposition: Closed
3. **February 12, 2007 – Issue: Favoritism**
An employee expressed concern regarding the promotion of another employee. The employee was found to be in error in his/her understanding of the change of the other employee's status. No violation of policy was found. (207)
Disposition: Closed

Date of Report: February 28, 2007

Board Report (Ethics Officer's February 2007 Monthly Report)

4. **February 13, 2007 – Issue: Nepotism**

A request was received from an employee requesting an exception to the Nepotism policy. The matter was reviewed by the Ethics Office and General Manager's office and it was determined that no exception be made in this case. (208)

Disposition: Closed

5. **February 21, 2007 – Issue: Gifts**

A concern was received from a member of the public regarding the ethics of receiving gifts. A note was sent requesting more specific information regarding the gift in question. No follow-up response was received from the member of the public as of March 5, 2007. (209)

Disposition: Closed

6. **February 22, 2007 – Issue: Employee Relations**

An employee expressed concern through The Network that another employee was continuing to work despite a recent criminal conviction. (210)

Disposition: Pending

7. **February 22, 2007 – Issue: Favoritism**

An employee expressed concern regarding reclassifications of three employees. The concern was that individuals were placed at higher level positions without other employees having had the opportunity to compete for those positions. Two of the three employees were promoted without competition based upon higher-level duties and responsibilities for which each of them assumed. The other employee has received a temporary promotion as provided for under the MOU. No violation of policy was found. (211)

Disposition: Closed