

● Ethics Officer's October 2007 Monthly Report

Summary

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

Attachments

None

Detailed Report

Activities

1. The Ethics Office will host an Ethics & Leadership seminar for public officials December 17 and 18, 2007 at Metropolitan Headquarters. Faculty from the Markkula Center at Santa Clara University will provide the seminar. Metropolitan Board of Director members are invited or invited to send an appropriate participant from their member agencies. Other local public officials and ethics office personnel will also be invited to attend.
2. The Ethics Office worked with the Legal Department to amend Administrative Code § 7140 to create an enforcement procedure for officers and employees who have alleged ethics violations that is parallel to the Directors' enforcement procedure.
3. The Ethics Officer researched policies on relationships in the workplace and created a draft policy regarding romantic and sexual relationships between supervisors and subordinates. It has been reviewed by the Legal Department and will be discussed at the next operating policy group meeting in November.
4. The Ethics Educator has begun a second round of facility visits and is scheduled to provide ethics instruction at three upcoming contractor trainings.
5. The Ethics Office staff conducted Day 1 employee orientations for 10 new hires and Day 2 orientation for 24 employees.
6. The Ethics Office Web site logged 1,054 visitors from October 1-31, 2007.

Logged Questions and Matters of Concern

1. **August 13, 2007 – Issue: Employee Relations**
The Ethics Office was contacted by a union representative regarding an employee who had allegedly been turned down by management when the employee had requested that a union representative be present at a meeting. A complaint was made by the union to HR. The union representative was advised that Metropolitan offices do not double-handle complaints and that it is appropriate for HR to deal with the matter initially. The union representative was advised that he/she could request Ethics Office review after the HR review was completed. The union representative was informed on September 6 that HR completed its review and does not foresee any further investigation. The union representative has requested Ethics Office Review and was asked to supply information regarding alleged violations of policy. (239)
Disposition: Pending
2. **September 20, 2007 – Issue: Favoritism**
An employee expressed concern prior to a job interview that he/she would not be fairly considered for the position, based on e-mails he/she had received from co-workers. The Ethics Officer contacted the recruiter to alert her/him to the concern and forwarded copies of the e-mail. As discrimination was alleged, the matter was forwarded to EEOC for review. (243)
Disposition: Pending

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

3. **September 28, 2007 – Issue: Employee Relations**
A concern from an employee was received through The Network regarding his/her discomfort regarding how a manager spoke to him/her about perceived shortcomings. The Group Manager was notified and followed up with the appropriate chain of command to ensure that managers know that it is inappropriate to publicly criticize or degrade any employee. (245)
Disposition: Closed
4. **October 2, 2007 – Issue: Outside Employment**
An employee requested guidance regarding his/her involvement of another Metropolitan employee in an after-hours consulting business. Relevant advice was offered along with a reminder of the boundaries regarding outside employment described in Ethics Operating Policy H-03. (246)
Disposition: Closed
5. **October 3, 2007 – Issue: Test by Auditor**
Internal audit filed a test complaint with The Network as part of that department's review of Ethics Office procedures. (247)
6. **October 5, 2007 – Issue: Policy Issues**
An anonymous concern was received through The Network regarding the alleged use of non-employees to do work on behalf of Metropolitan. The caller was concerned that the non-employees were misrepresenting themselves as speaking on behalf of Metropolitan and that the supervisors should have paid regular employees overtime to complete the task. The matter was referred to the appropriate department for review. (248)
Disposition: Pending
7. **October 6, 2007 – Issue: Outside Employment**
An employee called with questions regarding teaching that he/she does on his/her own time. The Ethics Office clarified that the employee cannot provide training to a company that has done business with Metropolitan or that is likely to do so in the future, but that there is no limitation on students who attend courses that are open to the general public. (249)
Disposition: Closed
8. **October 7, 2007 – Issue: Customer Relations**
A member of the public sent an e-mail to the Ethics Office expressing concern about the water being fluoridated. The matter was referred to the appropriate office for response. (250)
Disposition: Closed
9. **October 8, 2007 – Issue: Nepotism**
An employee asked if he/she could apply for a position within Metropolitan that would include evaluations of a relative's performance. The employee was told that he/she could not as being in the position described would violate the nepotism policy. (251)
Disposition: Closed
10. **October 9, 2007 – Issue: Customer Relations**
A member of the public sent an e-mail to the Ethics Office expressing concern about the water being fluoridated. The matter was referred to the appropriate office for response. (252)
Disposition: Closed
11. **October 12, 2007 – Issue: Customer Relations**
A member of the public anonymously expressed concern through The Network that a Metropolitan employee was pulling dead animals from a reservoir and failing to dispose of the carcasses. The appropriate facilities manager was notified and requested to follow up on the concern. (253)
Disposition: Pending

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

12. **October 15, 2007 – Issue: Misuse of Resources**

An employee anonymously expressed concern through The Network regarding misuse of Metropolitan resources. Two supervisors have allegedly used Metropolitan funds that were otherwise appropriated for the use of employee lunches. The appropriate facilities manager was notified and requested to follow up on the concern. (254)

Disposition: Pending

13. **October 16, 2007 – Issue: Customer Relations**

A member of the public sent an e-mail to the Ethics Office expressing concern about the water being fluoridated. The matter was referred to the appropriate office for response. (255)

Disposition: Closed

14. **October 18, 2007 – Issue: Conflict of Interest**

An employee asked if MWD could contract with a close relative of an MWD employee. As the employee was not involved in the contract award and will not be involved in the implementation of the contract, there is no conflict of interest. (256)

Disposition: Closed

15. **October 21, 2007 – Issue: Customer Relations**

A member of the public sent an e-mail to the Ethics Office expressing concern about the water being fluoridated. The matter was referred to the appropriate office for response. (257)

Disposition: Closed