

## ● Ethics Officer's November 2007 Monthly Report

### Summary

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

### Attachments

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None

### Detailed Report

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#### 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's Board of Directors are invited to attend 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 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 an upcoming operating policy group meeting.
3. The Ethics Educator made facility visits to Soto Street and Weymouth and conducted ethics training for 78 contractors participating in Metropolitan's Business Outreach Program.
4. The Ethics Office staff conducted Day 1 employee orientations for 6 new hires and Day 2 orientation for 13 employees.
5. The Ethics Office Web site logged 959 visitors from November 1-30, 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. No further communication has been received from the union representative. (239)  
Disposition: Closed
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. The EEOC Officer found no basis for a claim of discrimination. (243)  
Disposition: Closed

## Board Report (Ethics Officer's November 2007 Monthly Report)

3. **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 investigated through the appropriate department and no misuse or misrepresentation was found. (248)

Disposition: Closed

4. **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. The manager could find no evidence to support the concern. (253)

Disposition: Closed

5. **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. The manager could find no evidence to support the concern. (254)

Disposition: Closed

6. **November 5, 2007 – Issue: Gifts**

A supervisor inquired whether a contractor could hold a cookout for employees to celebrate the completion of a project. The Administrative Code disallows receiving gifts for work performed for Metropolitan.

Disposition: Closed

7. **November 7, 2007 – Issue: Outside Employment**

An employee inquired whether he/she could continue to work as a programmer for a software retailer while employed by Metropolitan. A Metropolitan employee may work as a programmer for a software retailer as long as all work remains separate from the employee's employment at Metropolitan.

Disposition: Closed

8. **November 15, 2007 – Issue: Favoritism**

An employee inquired if preferential treatment is given employees who have been, or are district temps who are applying for positions at Metropolitan. Preferential treatment is not given to district temps. After the hiring process was explained to the employee, the employee was satisfied that preferential treatment is not given to anyone.

Disposition: Closed

9. **November 26, 2007 – Issue: Outside Employment**

An employee inquired whether he/she could continue to work as a private consultant while employed by Metropolitan. A Metropolitan employee may work as a private consultant as long as all work remains separate from the employee's employment at Metropolitan.

Disposition: Closed

10. **November 27, 2007 – Issue: Discounts**

An employee inquired whether he/she could accept gifts if the gifts are listed on their conflict of interest form 700. Elected officials have gift limits but Metropolitan employees do not. The Administrative Code disallows receiving gifts for work performed for Metropolitan.

Disposition: Closed

11. **November 27, 2007 – Issue: Gifts**

An employee inquired whether employees can participate in vendor raffles at trade shows which are open to the public. As long as the raffle is open to the public at a public workshop for goods excluding legal tender, employees may participate in vendor raffles.

Disposition: Closed

## Board Report (Ethics Officer's November 2007 Monthly Report)

12. **November 27, 2007 – Issue: Discounts**

An employee inquired whether employees can accept special offers to shop at membership only retailers. As these were special discount days open only to paid members, Metropolitan employees may not accept such special offers as Metropolitan employees are being targeted for special discounts and entry fees.

Disposition: Closed

13. **November 29, 2007 – Issue: Gifts**

An employee received a holiday gift basket from a contractor. The basket was opened and placed in a common area for staff to enjoy. The supervisor requested advice regarding future baskets. The supervisor was advised to decline or return gifts, if possible, as the Administrative Code disallows receiving gifts for work performed for Metropolitan.

Disposition: Closed