

BEFORE THE WASHINGTON SUBURBAN SANITARY COMMISSION
BOARD OF ETHICS

COMPLAINT NO: C-12-05

SUMMARY OF DECISION

On or about September 10, 2012, the Board of Ethics (Board) received a Complaint alleging that a Washington Suburban Sanitary Commission (WSSC) employee (hereinafter "Respondent") had violated the WSSC Code of Ethics by participating on an interview panel for the hiring of a Unit Coordinator position. The Complaint alleged, among other things, that the Respondent showed favoritism towards one candidate for the position and further alleged that several of the persons interviewing for the position had done personal work for the Respondent at Respondent's home and church.

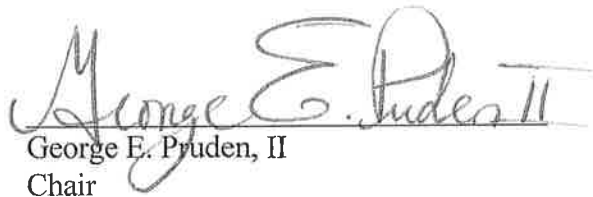
The Complaint was heard by the Board on May 9, 2013. After considering evidence and argument, the Board, on August 1, 2013, issued an opinion holding that the Respondent had violated: 1) Section 3-4(a) of the Code by creating the appearance that the Respondent was utilizing the prestige of office to benefit a particular candidate for the position and 2) Section 3-1(a) of the Code by creating the appearance that the Respondent had an economic interest in the outcome of the interview panel.

In support of these findings, the Board noted that the Respondent lobbied to be on the interview panel and also voiced the opinion that the Unit Coordinator position should go to a current WSSC employee. In addition, at least one of the candidates for the position had performed work at the Respondent's home and church. These factors combined to create an "appearance", to any outsider looking in, that Respondent sought to be on the panel to benefit the internal candidates for the position, especially those who had done work at his

home and church. In addition, Respondent's participation created the appearance that Respondent stood to gain financially from the selection.

The Board did not issue any sanction because Respondent passed away prior to issuance of the Board's decision. The Board did recommend, however, that the Code of Ethics be amended going forward to prohibit business relationships between supervisors and subordinates. The Board further recommended that the Human Resources Office develop a policy to ensure that, in the future, interview panels for open positions at WSSC are formed properly, with persons having no conflicts of interest, both real and perceived.

On this 10th day of October 2013, the Board approved the foregoing summary of its August 1, 2013 opinion for posting on the WSSC Board of Ethics internet page.


George E. Pruden, II
Chair