

BOARD OF ETHICS  
WASHINGTON SUBURBAN SANITARY COMMISSION

ADVISORY OPINION # A-06-02

SUBJECT: CODE OF ETHICS SECTION 3-4; EMPLOYEE  
COMMUNICATION WITH ELECTED OFFICIAL

By request dated April 5, 2006 an employee of the Washington Suburban Sanitary Commission (WSSC), seeks advice regarding communicating with a member of the Maryland General Assembly.

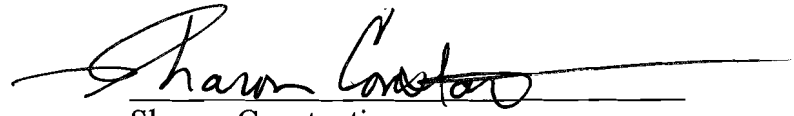
The requestor states that a member of the Maryland General Assembly has contacted the requestor to discuss a WSSC related matter. The requestor does not know the specific issue to which the request relates. The requestor has not responded and seeks an opinion as to whether communicating with this elected official would violate Section 3-4 of the WSSC Code of Ethics.

The WSSC Code of Ethics does not prohibit an employee from communicating with an elected official regarding a WSSC matter. The Board notes, however, that certain subsections of § 3-4 are particularly relevant to employee communications with elected officials. For example, § 3-4(g) prohibits an employee from attempting “to influence a State or County official in the conduct of the official’s duties for a purpose contrary to the State Ethics Law or these regulations.” In addition, § 3-4(a) prohibits an employee from intentionally using “the prestige of office for private gain or the gain of another.” Therefore, an employee must not communicate with an elected official for the purpose of realizing private gain (e.g. obtaining a promotion or raise) for either himself or for any other person.

The Board advises the requestor to keep the provisions of § 3-4 in mind during any communication with an elected official.

Further, in that this advisory opinion only addresses the Code of Ethics, the Board suggests that the requestor review other WSSC policies (e.g. personnel policies) or regulations that may cover communications with elected officials.

On Motion by Chuck Kuderna, seconded by Warren Fleming, the Board agreed at its meeting held on May 11, 2006 to adopt the foregoing advisory opinion.



Sharon Constantine  
Chair, *pro tem*

5/11/06  
Date