



# **WASHINGTON SUBURBAN SANITARY COMMISSION**

## **BOARD OF ETHICS**

### **CALENDAR YEAR 2014 ANNUAL REPORT**

**Submitted by Board of Ethics Members:**

George E. Pruden, II, Chair

Steven J. Hausman

Robert J. Moore

R. Wayne Keeler, Alternate Member

## Washington Suburban Sanitary Commission Calendar Year 2014 Annual Ethics Report

Pursuant to the Maryland Public Ethics Laws §§ 5-823(d) and 5-830(d) and Washington Suburban Sanitary Commission (WSSC) Code of Ethics § 2-10, this report covers conflicts of interest matters brought before the WSSC Board of Ethics (Board) and addresses lobbying activities before the WSSC during Calendar Year 2014.

The current WSSC Board members are Dr. Steven J. Hausman (Montgomery County), Mr. Robert J. Moore (Prince George's County), and Mr. George E. Pruden, II, (Prince George's County) as well as an alternate member, Mr. R. Wayne Keeler (Montgomery County). Currently, Mr. Pruden presides as Board Chair.

The Board conducted a total of twelve (12) meetings in 2014 to address the following matters:

- Three (3) Advisory Opinion Requests;
- One (1) Waiver Request;
- Four (4) Complaints; and
- Proposed changes to the WSSC Code of Ethics.

Appendix A summarizes the 2014 Advisory Opinions, Waiver Requests and Complaints.

Persons lobbying the WSSC are required to register as a lobbyist if there is (1) communication to influence and (2) lobbyist compensation or expenditures at specified thresholds.

Appendix B summarizes the lobbyist expenditures reported to the WSSC.

The Board's website, <https://www.wsscwater.com/about-us/board-of-ethics-1.html>, identifies the Board and the WSSC's Ethics Office as well as provides the WSSC Code of Ethics, the Board's Rules of Procedure, lobbyist registration information, the Board's Advisory Opinions, Waiver decisions, Complaint rulings, and a list of entities doing business with the WSSC.

Finally, we present the 2014 Ethics highlights:

- All WSSC employees are required to complete annual disclosure statements, specifically, financial disclosure statements or conflict of interest statements. WSSC procured and implemented a dynamic and integrated annual disclosure reporting system in 2014. It conducted its 2013 annual disclosure filing period, commencing April 1, 2014.
- The WSSC's Ethics Program notifies new financial disclosure filers of their requirement to file within 30 days of WSSC employment as well as financial disclosure filers of their requirement to file within 60 days after leaving the WSSC. Written ethics guidance also is available to exiting employees or employees considering other employment.
- All employees must complete one (1) hour of annual ethics training. For calendar year 2014, online annual training commenced November 20, 2014. Executive introductions of the 2014 training were provided by the WSSC Chair and the GM/CEO. Live monthly training is also provided to new employees upon commencement of employment.
- WSSC celebrated Corporate Compliance and Ethics Week in May 2014, with a schedule of ethics activities, commencing with an email by the GM/CEO to all employees.

- The Ethics Program commenced and regularly publishes Ethics updates and reminders in the internal WSSC employee newsletter, *Fish Tales*.
- *Ethics & Compliance In Focus*, a biannual newsletter created to increase ethics awareness throughout WSSC, debut May 2015. The second edition was generated in October 2014.
- GM/CEO sent guidance to all Employees regarding the solicitation or acceptance of gifts during the holiday season.
- WSSC's Ethics Office continues to serve as the primary point of contact and clearinghouse for all ethics inquiries and concerns.

**CY 2014  
BOARD OF ETHICS  
ADVISORY OPINION REQUESTS**

<b>Advisory Opinion No.</b>	<b>Request/Matter</b>	<b>WSSC Code of Ethics Section Referenced</b>	<b>Status/Final Determination</b>
A-14-01	Employee inquired about participation on WSSC matters involving a firm that employs a qualifying relative.	§§ 3-1(a) and 3-1(a)(2)	Advisory Opinion issued on April 28, 2014.
A-14-02	Employee inquired about an outside position as an instructor for seminar programs for an organization in which WSSC expends monies for purchase of certification self-study materials, conference attendance, training, books and other resources.	§§ 3-2(a), 3-4(a) and 3-4(c)	Advisory Opinion issued on May 8, 2014.
A-14-03	Employee questioned whether contractors/consultants and their employees performing reorganization and job description design or recommendations functions were forbidden from obtaining personal economic benefit from their participation, i.e., seeking future employment in the jobs for which they performed reorganization and job description design or recommendations.	§§ 4-3 and 4-4	No advisory opinion issued. Board issued a response letter informing employee that a request for an advisory opinion was not in compliance with Code § 2-2, "Advisory Opinions," since the employee did not request advice regarding the employee or any employee supervised by employee. The Board further informed employee of the ethics complaint process if employee had specific facts and circumstances in support of an alleged Code violation, or offered that employee seek legal advice from the General Counsel's Office.

**CY 2014  
BOARD OF ETHICS  
WAIVER REQUESTS**

<b>Waiver Request No.</b>	<b>Request/Matter</b>	<b>WSSC Code of Ethics Section Referenced</b>	<b>Disposition</b>
W-14-01	Employee asked the Board to waive its Advisory Opinion 14-01, which addressed employee's participation on WSSC matters involving a firm that employs a qualifying relative.	§§ 3-1(a) and 3-1(a)(2)	Board denied request, August 14, 2014.

**CY 2014  
BOARD OF ETHICS  
COMPLAINTS**

<b>Complaint No.</b>	<b>Request/Issue</b>	<b>WSSC Code of Ethics Section Referenced</b>	<b>Disposition</b>
C-14-01	Non-compliance with filing final financial disclosure statement.	§ 5-2	Dismissed July 10, 2014. Final statement filed by former employee.
C-14-02	Employee expressed concern about WSSC's contractor's conduct.		Dismissed April 28, 2014. The Board determined that there was no reasonable cause to believe that a violation of the Code of Ethics occurred. The Board further referred relevant matters of the Complaint request to the WSSC Fair Practice Office and the WSSC Security Group.
C-14-03	Alleged violation of former employee's participation in WSSC matters involving a WSSC contractor at a time when, as an employee, the employee applied for employment, was negotiating employment, or arranged employment with the contractor. Further alleged that former employee assisted and/or represented contractor on matters involving WSSC that the employee participated significantly in while working for WSSC.	§§ 3-1(a) and 3-3(a)	Complaint is pending.
C-14-04	Alleged violation by contractor making an offer or promise of future employment and/or engaging in discussions regarding future employment with employee (now former employee) during the time when the employee participated significantly during the conduct of a procurement on which contractor intended to submit a bid or offer.	§ 4-3(a)	Complaint is pending.

**CY 2014 – LOBBYISTS EXPENSES FOR EACH COMPANY  
AS REPORTED ON THE WSSC LOBBYIST ACTIVITY REPORT**

	LOBBYIST	COMPANY	DATE OF REGISTRATION	REPORTING PERIOD		Total
				1/1/2014 thru 06/30/14	7/01/14 thru 12/31/14	
1	R. Wineholt / W.S. Pharr	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	09/27/12	\$0.00	\$721.82	\$721.82
2	N. Greenbaum	Bainbridge - St. Elmo	12/17/13	\$8,591.25	\$0.00	\$8,591.25
3	N. Greenbaum	Belford Towers, LLC/Lightstone Group	03/14/12	\$0.00	\$0.00	\$0.00
4	N. Greenbaum	Cabin Branch Management	05/28/13	\$0.00	\$0.00	\$0.00
5	N. Greenbaum	Crestwood Terrace Apartments	07/07/14	\$0.00	\$2,283.75	\$2,283.75
6	N. Greenbaum	R. Dubin - WSSC Easement and W&S Matters	06/10/13	\$0.00	\$212.50	\$212.50
7	N. Greenbaum	Emmanuel Baptist Church	07/11/13	\$0.00	\$0.00	\$0.00
8	N. Greenbaum	EYA/CSP Associates	11/05/14	\$0.00	\$2,175.00	\$2,175.00
9	N. Greenbaum	Fairfield Residential Company	05/13/14	\$4,132.50	\$0.00	\$4,132.50
10	N. Greenbaum	Joel Fernebok	09/25/13	\$0.00	\$1,087.50	\$1,087.50
11	N. Greenbaum	Glenstone Foundation	09/14/11	\$0.00	\$0.00	\$0.00
12	N. Greenbaum	Harmony Place Associates, LLC	11/14/11	\$0.00	\$0.00	\$0.00
13	A.B. Mims	LIUNA Mid Atlantic	01/25/13	\$0.00	\$0.00	\$0.00
14	N. Greenbaum	Stanley Martin Homes	02/25/13	\$0.00	\$0.00	\$0.00
15	N. Greenbaum	Mid Pike Plaza/Federal Realty Investment Trust	09/14/11	\$0.00	\$0.00	\$0.00
16	N. Greenbaum	Miller and Smith	06/04/13	\$212.50	\$0.00	\$212.50
17	N. Greenbaum	Olney Assisted Living	03/19/12	\$0.00	\$0.00	\$0.00
18	N. Greenbaum	Potomac Vista Corporation	11/18/11	\$0.00	\$0.00	\$0.00
19	N. Greenbaum	Sun Brook Partners	01/20/11	\$217.50	\$0.00	\$217.50
20	N. Greenbaum	Woodfield Investments	01/25/13	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>Total Compensation and Expenses</b>				<u>\$13,153.75</u>	<u>\$6,480.57</u>	<u>\$19,634.32</u>