

BOARD OF ETHICS
WASHINGTON SUBURBAN SANITARY COMMISSION

WAIVER REQUEST # W-22-01

SUBJECT: CODE OF ETHICS CHAPTER 1.70.180
RESTRICTIONS ON OTHER EMPLOYMENT AND FINANCIAL INTERESTS

By request dated February 10, 2022, an employee of the Washington Suburban Sanitary Commission (WSSC) has requested that the Board of Ethics grant a waiver of Chapter 1.70.180(b)(1) of the Code of Ethics (Code), which prohibits a WSSC employee from also being employed by a company that is regulated by WSSC.

The Requestor is a longtime employee of WSSC who currently is employed as an auditor in the Office of Inspector General (OIG). Requestor's position involves performing compliance, financial and operational audits for WSSC. The assigned audits are focused on WSSC management controls established for operational departments.

The Requestor is seeking a waiver to provide bookkeeping services to PRP LLC, which holds a WSSC Master Plumber and Gasfitter's License. The duties will include categorizing and reconciling financial transactions weekly and preparing financial statements as needed.

Chapter 1.70.180(a) of the Code generally restricts an employee from engaging in outside employment "if the hours of such employment conflict with the employee's normal work shift at WSSC or where the outside employment is of such a nature which does or may create a conflict of interest or the appearance of a conflict of interest." Chapter 1.70.180(b)(1) specifically prohibits an employee from also holding employment with a business that is regulated by WSSC, unless the Board grants a waiver of that provision.

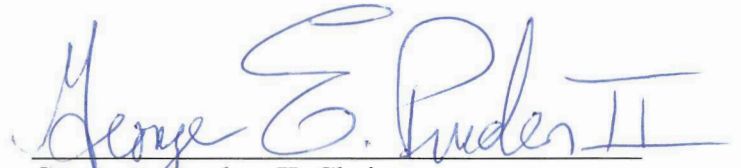
The standards that the Board must follow for considering a request for waiver are set forth in Code Chapter 1.70.070(a) and (b). Chapter 1.70.070(b) pertains specifically to requests for waivers related to secondary employment and allows the Board to grant a waiver if it finds that the "proposed employment is not likely to create an actual conflict of interest."

Having considered the relevant Code provisions, as well as the specific circumstances involved, the Board grants the request for waiver. The Board specifically finds that Requestor's employment as a bookkeeper with PRP LLC is not likely to create an actual conflict of interest or an "appearance of conflict of interest" with her full-time position at WSSC as described above. The company is not a WSSC contractor so the company is not anticipated to be included in any transactions the Requestor would review. In the highly unlikely instance that the company is involved in a matter the Requestor is

assigned to review, it will be assigned to another auditor in the department. Additionally, the Requestor's supervisor has been made aware of the proposed outside employer via the Outside Employment Pre-Approval Form.

The Board emphasizes that the decision to grant the request for waiver is specifically based on the current facts as presented. Should PRP LLC become a WSSC contractor or there are other changes to the arrangement, Requestor is advised to submit an updated Outside Employment Pre-Approval Form and to seek additional guidance from the Board if needed.

On motion by Steven Hausman, seconded by Jeffrey Hysen, the Board agreed at its meeting held on April 13, 2022 to grant the Request for a Waiver.


George E. Pruden, II, Chair

5/11/22
Date