



ANNE ARUNDEL
WORKFORCE DEVELOPMENT
CORPORATION

Policy Memorandum 2019-04

Public Ethics Requirements – Effective April 1, 2019

INTENDED AUDIENCE: Employees of the Anne Arundel Workforce Development Corporation (AAWDC)

SUBJECT: Requirements under Article 7 – Public Ethics of the Anne Arundel County Code

EXPIRATION: N/A

QUESTIONS: Heather Porzillo
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CANCELLATIONS

This policy supersedes and replaces any local conventions in effect by AAWDC initiatives or administrative offices.

STANDARD OPERATING PROCEDURES

N/A

FORMS

Conflict of Interest Declaration

Approvals

 President and CEO, Anne Arundel Workforce Development Corporation

General Information

AAWDC is a nonprofit corporation that provides workforce development services to the residents and businesses of Anne Arundel County. AAWDC also functions as an administrative arm of county government. To be successful and responsive to the needs of the county, AAWDC must ensure the public's trust in our services and initiatives. The key to ensuring the public's trust is managing conflicts of interest, real or perceived. The staff members of AAWDC have a duty and responsibility to act in the best interests of the residents of Anne Arundel County. For this reason, AAWDC staff are subject to several laws that are intended to ensure transparency and openness with the residents of the County. These laws include, but are not limited to:

- Maryland Open Meeting Act
- Maryland Public Information Act
- Freedom of Information Act
- Various public ethics laws, including Article 7 of the Anne Arundel County Code

Conflicts of Interest

AAWDC staff may not participate in a matter if:

- The individual or a relative has an interest in the outcome that would benefit him/her in a manner different from the public.
- Any of the following are a party to the matter:
 - A business entity in which the individual has a financial interest;
 - A business entity of which the individual or relative is an officer, director, trustee, partner, limited partner, member, or employee;
 - A business entity with which the individual or a relative has applied for, is negotiating, or has arranged for prospective employment;
 - If a contract could be reasonably expected to result in a conflict between the private interest of the individual and the official duties of the individual, a business entity that is a party to a contract with individual or a relative;
 - A business entity in which a financial interest is owned by another business entity in which the individual has a financial interest; and/or
 - A business entity that the individual or relative is a creditor and as such is in a position to affect directly and substantially the interest of the individual or relative.

AAWDC staff must disclose any real or perceived conflicts of interest. In deciding whether something is a conflict of interest, staff should err on the side of disclosure. Annually, staff will sign a disclosure statement. Notwithstanding the disclosure statement, staff members are required to take positive steps to ensure their impartiality. This means that, even if the conflict of interest is disclosed, the staff member must ensure that he/she does not participate in a matter where the conflict exists.

For the purposes of this policy, a relative is a spouse, parent, child, brother or sister.

Other Ethics Considerations

Gifts

Staff members may not solicit any gift and may not accept a gift from any individual who:

- Conducts business with or seeks to conduct business of any kind with the Local Board or AAWDC;
- Engages in an activity that is overseen by the Local Board or AAWDC;
- Has a financial interest that may be substantially and materially affected by the performance or lack thereof of the staff member's official duties; and/or
- Is a lobbyist in matters within the oversight of the staff member.

This does not include the following:

- Occasional meals and beverages consumed in the presence of a donor or sponsoring entity
- Ceremonial gifts or awards of insignificant value
- Unsolicited gifts that do not exceed \$20 in cost
- Trivial gifts of informational value
- In return for participation on a panel or a speaking engagement at a meeting, reasonable expenses for food, travel, lodging, or scheduled entertainment of the employee if the expenses are associated with the meeting
- Tickets or free admission to an event, so long as said gifts is directed to the Local Board or AAWDC as an entity
- Honoraria, in certain limited circumstances

Prestige of Office

A staff member may not intentionally use his/her position for the his/her private gain or the gain of another. This includes use of an individual's position to publish a personal position on any issue whatsoever in print, visual, or electronic media.

Nepotism

AAWDC defines nepotism as the use of a staff member's position to obtain services from or employment within AAWDC for a relative. This does not mean that relatives cannot apply for services or employment. However, employment opportunities will be subject to the guidelines set forth in the *AAWDC Employee Handbook*.

The following guidelines apply to relatives who apply for services from any AAWDC initiative:

- The relative must meet all eligibility and suitability criteria established by the initiative and must enter the initiative in the same method as all other participants.
- Eligibility and suitability determination of the relative cannot be conducted by the staff member with the conflict.
- The AAWDC employee must declare the relationship to the participant to the initiative Director or their immediate supervisor.
- The supervisor must declare the conflict to the Office of Human Resources and the Office of Research, Performance and Compliance. Together, these two offices will work together to determine whether the relative will be allowed to participate in the initiative.

AAWDC recognizes that there may be occasions where interaction with a relative enrolled in an AAWDC initiative is unavoidable. It is the responsibility of the employee to maintain a professional posture and to ensure that the relative does not receive special treatment. AAWDC reserves the right to deny services to an employee's relative when initiative funds or resources are limited.

Referring Board Members to Workforce Development Services

Regardless of a business' relationship to the Local Board or AAWDC, all employers must be treated equitably. This means that all employers receive the same range of services. No undue influence over decision-making shall be exercised by any officer, staff member, contractor or Board member. Undue influence occurs when the relationship of an employer to the Local Board or Corporate Board is emphasized to influence the treatment of that employer. The exercise of undue influence in decision-making can be considered as creating a hostile work environment and will be treated as such.

Use of Confidential Information

Consistent with the Board Directive on *Privacy and Data Security*, staff members (including former staff) may not disclose or use confidential information gained by reason of individual's position that is not available to the general public for personal economic benefit or the economic benefit of another.

Performance Accountability

Staff and members of the Local Board shall sign a conflict of interest disclosure form each Fiscal Year no later than October 1.

Reporting and Monitoring

The Office of Human Resources shall report any conflicts of interest to the Board at the next Board meeting immediately following the deadline identified above. The Office of Human Resources and the Office of Research, Performance and Compliance shall be responsible for monitoring this policy to ensure compliance by staff and Board members. Failure to abide by the restrictions and procedures in this directive may result in disciplinary action.