



**ANNE ARUNDEL COUNTY  
ETHICS COMMISSION**

September 26, 2008

*By Electronic Mail Only*

Re: AO-08-64

You inquired whether you may engage in secondary employment as an independent contractor training in ArcGIS to state and federal agency employees and possibly private entity employees. You are employed in the office of information technology (OIT) as a GIS specialist. Your duties include teaching county employees to use the GIS software. Toward that end, you completed your training to be an instructor in ArcGIS through the Environmental Systems Research Institute (ESRI). This training was paid for by the county. To comply with ESRI requirements, and to keep your authorization to teach, you must teach a minimum of 4 classes and 25 students per year.

Prior to your employment with the county, you received a B.A. degree in geography from the University of Maryland, and you were employed as a GIS analyst for an entity outside of the county. Clearly, at least some of your skills were acquired before you came to work for county government.

While you have taught this program to 163 county employees since 2004, there has been a drop-off in the number of county employees who need this training. You would like to undertake this secondary employment so that you can keep your ESRI certification, and so that you can continue to train county employees as needed. You plan to supplement county training classes with employees from other agencies, and possibly, other private entities. Specifically, you indicated that you have already received inquiries about training from the Maryland Department of the Environment, the Maryland Department of Natural Resources, the Maryland Environmental Service, the United States Department of the Navy, and one or more community colleges.

The ethics commission advises that you may engage in the secondary employment you have described subject to a few limitations. As you have already acknowledged, you may not use county resources in your secondary employment and you may not engage in this employment during normal work hours. Among other things, the prohibition on the use of county resources means that you may not use your title or other reference to your county position in the advertising of your secondary employment. §7-5-107(a).

Also, the ethics law, §7-5-102, prohibits an employee from working for any entity that contracts with, or is subject to the authority of, OIT. While OIT participates in contracts for the purchase of computers and other technology, it functions mainly as a

support agency within county government. It does not generally regulate outside entities. Therefore, it does not appear likely that you will be teaching for entities that would have any relationship with your agency.

Additionally, the commission concludes that the county, having paid for your ESRI authorization, would benefit from your maintaining that authorization. And since you indicated that the county already shares the geographic data with other governmental agencies, you would not be disclosing any confidential information as a trainer.

For these reasons, the commission advises that you may engage in training as a secondary employment. You should contact the ethics commission if you receive inquiries about training from any private entities doing business with the county, particularly OIT, and you should feel free to contact the ethics commission should other issues arise.

The Anne Arundel County Ethics Commission

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By: \_\_\_\_\_  
Betsy K. Dawson, Executive Director