

# What employees need to know about the **PUBLIC ETHICS LAW**



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### ANNE ARUNDEL COUNTY ETHICS COMMISSION

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## Purpose of the Ethics Law

The County's Public Ethics Law establishes minimum standards of conduct to ensure that the decisions of County employees and elected officials are made impartially, and with independent judgment, without improper influence, or even the appearance of improper influence.

## Who is covered

County employees, elected and appointed County officials, and members of County boards and commissions, are covered by the County Public Ethics Law. Employees of the Sheriff's office, Health Department, State's Attorney Office, and Department of Social Services are covered by the Maryland State Ethics Law.

## Training Requirements

The Public Ethics Law requires all employees and elected officials successfully complete an ethics training program within 60 days of hire, and once every 5 years thereafter. The ethics commission has created an online training program that can be completed by employees at their convenience. Visit the ethics commission website for details.

## The Ethics Commission

The Anne Arundel County Ethics Commission was created by law to:

- INTERPRET AND ADMINISTER THE PUBLIC ETHICS LAW OF ANNE ARUNDEL COUNTY
- REVIEW AND MAINTAIN FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST STATEMENTS
- MAINTAIN LOBBYIST REGISTRATION RECORDS AND REPORTS
- PROVIDE ETHICS TRAINING FOR COUNTY EMPLOYEES AND OFFICIALS

- ISSUE ADVISORY OPINIONS
- RECEIVE, REVIEW AND INVESTIGATE COMPLAINTS
- CONDUCT HEARINGS, SUBPOENA WITNESSES AND ADMINISTER OATHS
- MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING ETHICS COMPLAINTS
- ISSUE ORDERS OF COMPLIANCE, REPRIMAND OR OTHER ENFORCEMENT AUTHORIZED BY LAW

The Ethics Commission is an independent agency made up of 7 citizens of Anne Arundel County who are appointed by the County Executive with approval of the County Council. Three are nominated by the County Council. They serve a term of 4 years and cannot be government employees nor may they participate in the campaign of any public official. The commission appoints an executive director and other staff as necessary. The commission is authorized to meet in both open and closed sessions.

## CONFLICTS OF INTEREST

### WHAT IS A CONFLICT OF INTEREST?

A conflict of interest arises when an employee, elected official, board or commission member, or that person's family member, is in a position to derive personal or financial benefit from actions or decisions they make in their official capacity.

The Anne Arundel County Public Ethics Law defines 6 conflict of interest provisions and prohibitions that employees and elected officials must be familiar with.

1. Participation and Recusal
2. Secondary Employment
3. Representing Others
4. Gifts
5. Prestige of Office
6. Use of Confidential Information

## 1. Participation and Recusal

A County employee or public official may not participate in any matter where the employee or official, or "qualifying relative"\* of the employee or official, has an interest in the matter different from the general public.

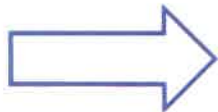
A County employee or public official may not participate in matters involving business entities in which the employee or official, or qualifying relative\* of the employee or official, has a financial, employment, contractual, creditor or potential employment interest.

\*[Qualifying relative is defined by law as a spouse, parent, child, brother or sister.]

## 2. Secondary Employment

A County employee or public official may not have a financial interest in, or accept secondary employment with, any entity that is:

1. doing business with the employee's agency or governmental unit;
2. seeking to do business with the employee's agency or governmental unit;
3. regulated by the employee's agency or governmental unit;
4. has a contract or is negotiating a contract that is administered by the employee's agency or governmental unit; or,
5. a subcontractor on a contract with the County that is administered by the employee's agency or governmental unit.



THERE ARE EXCEPTIONS TO THE SECONDARY EMPLOYMENT RULES THAT ARE GOVERNED BY LAW AND GRANTED BY THE ETHICS COMMISSION. YOU SHOULD ALWAYS CHECK WITH YOUR SUPERVISOR AND THE ETHICS COMMISSION BEFORE ACCEPTING ANY SECONDARY JOB. WE HAVE A FORM THAT YOU CAN COMPLETE AND SUBMIT TO OBTAIN THE COMMISSION'S OPINION ABOUT YOUR POTENTIAL SECONDARY EMPLOYMENT POSITION.

## 3. Representing Others

An employee may not, except in the course of the employee's official duties, assist or represent any party (other than the County) in any specific matter; before any County agency, department or other County employee or in which the County has an interest.

## 4. Gifts (Soliciting and Accepting)

County employees may not solicit gifts while on the job, unless the solicitation is part of a County-wide charitable effort that has been approved by the County Executive to promote a public purpose. The gifts must benefit the public and not County employees.

An employee may not accept a gift from a controlled donor. A controlled donor is anyone that: does or is seeking to do business with the County; is engaged in activities regulated by the County; has a financial interest that may be affected by an employee's official duties; or lobbies the employee's agency, board or commission.

Exceptions to the gift law permit acceptance of some gifts in limited circumstances, such as if the gift does not exceed \$20 in value and does not give the appearance of impairing the impartiality and independent judgment of the employee, and the employee does not believe that the gift was given to impair the impartiality and independent judgment of the employee. ALWAYS CHECK WITH THE ETHICS COMMISSION BEFORE ACCEPTING ANY GIFT FROM A CONTROLLED DONOR.

## 5. Prestige of Office

An employee may not intentionally use the prestige of their office or public position for that employee's private gain or the gain of another.

THIS IS A VERY BROAD CONFLICT THAT INCLUDES THINGS SUCH AS:

- Using your County title and position on a web site, business card, brochure, or other non-county business venture or activity.
- Using County resources (time, supplies, equipment, etc.) to conduct or further any outside business or personal activity, including political and charitable activity, not related to your County position.

## 6. Use of Confidential Information

Except in the discharge of an official duty, an employee, or former employee, may not disclose or use confidential information, acquired by reason of the employee's, or former employee's, public position, and not available to the public, for personal economic benefit or for the economic benefit of another.

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Thank you for taking the time to read this summary of the Anne Arundel County Public Ethics Law. The Ethics Commission urges you to contact our office any time to discuss any ethics matter, BEFORE an issue or violation occurs. For more information please visit our website. The full text of the Public Ethics Law can be found in Article 7 of the County Code.