



# Milwaukee County Ethics Board

DATE: March 2, 2017

TO: Chairman Theodore Lipscomb, Milwaukee County Board of Supervisors  
Chairman Willie Johnson, Jr., Milwaukee County Judiciary, Safety and General Services Committee  
Supervisor Anthony Staskunas, Vice Chair, Milwaukee County Judiciary, Safety and General Services Committee  
Members of the Milwaukee County Judiciary, Safety and General Services Committee  
Interested Parties

FROM: Stephanie Hunnicutt, Executive Director, Ethics Board

RE: Ethics Board Findings Contained in 2016 Annual Report and Potential Applicability to Other Factual Situations

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## BACKGROUND

After review of the 2016 Milwaukee County Ethics Board Annual Report, the Milwaukee County Board Supervisors referred the Annual Report to the Judiciary, Safety and General Services Commission for further discussion regarding the summaries of Ethics Board findings concerning requests for advisory opinions and investigation requests and how they may potentially apply to other scenarios.

## POTENTIAL APPLICABILITY

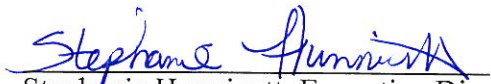
Each Ethics Board advisory opinion or response to investigation request applies solely to the facts and circumstances surrounding a particular request. The Board's findings vary on what may initially appear to be relatively similar scenarios, due to the particular facts and circumstances that are reviewed on a case-by-case basis.

However, in an effort to assist and cooperate in the education of the public regarding the Ethics Code, attached to this report are examples of common areas where ethics issues may arise. These examples are taken directly from ethics training that is currently available on the Employee Development Center website. The office of the Ethics Board is currently working to assign this training to those governed by the Ethics Code as well as issuing periodic Ethics Code informational newsletters, FAQs, etc.

While the Board is prohibited from disclosing any information that would identify those individuals requesting advisory opinions or submitting investigation requests, the attached examples reflect the most commonly asked questions of the Ethics Board and relate to numerous of the scenarios referred to in the Annual Report, including:

- Conflicts of Interest
- Gifts
- Use of Government Position and Resources
- Outside Employment
- Post-Employment
- Political Activity

Submitted by,



Stephanie Hunnicutt, Executive Director  
Milwaukee County Ethics Board

Attachments: Excerpts from EDC On-line Ethics Training

cc: Kelly Bablitsch, Chief of Staff, Milwaukee County Board of Supervisors  
Janelle Jensen, Coordinator, Finance and Audit Committee  
Allyson Smith, Coordinator, Judiciary, Safety and General Services Committee

## Conflicts of Interest - Examples



Let's talk about some examples.

Let's say Sarah sells surplus property for the County. If her brother wants to buy some surplus furniture from the County, Sarah should disclose her relationship and her brother should work with someone else in the department to buy it or the furniture should be sold through a competitive process. We don't want the sale to look like Sarah's brother got a special deal because he is related to Sarah.

James, a County Board Supervisor, owns a home in Milwaukee County. Some of the matters on which he votes affect his property taxes. But James can likely still vote on these matters. Unless the matter would uniquely affect James' home or his block, the matter will affect a large segment of the community all in the same way.

## Gifts - Examples



Again some examples.

Pens or other cheap, promotional items from vendors are usually OK, as long as they are worth less than \$25. But you may not want to use these items at work if the entity's logo is highly visible. Other vendors, organizations, or clients may think you are endorsing or promoting that entity.

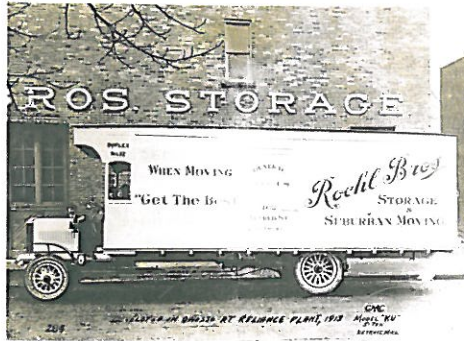
Another example:

Tom purchased furniture for his office and the vendor sends him a fruit basket after the sale. He can likely keep the basket if he shares it with the Department or puts it in a common area for others to eat, too. By sharing with others the benefit is reduced and spread out over many people rather than just benefiting Tom.

But what if the vendor sent him a \$250 spa gift certificate? Tom cannot keep the gift certificate. The item cannot be easily shared and is worth more than \$25. Tom should return the gift certificate to the vendor.

As usual, contact the Ethics Board if you have questions about gifts.

## Use of Government Position and Resources - Examples



Some examples of misusing government resources or position for private gain:  
Instead of renting a truck, Emily uses a County vehicle to move her belongs to her new home. Emily would not have access to the truck if she did not work for the County, so this is a misuse of government property.  
Tony has a government issued mobile phone. He uses it for his County job, but he also uses the mobile phone for the catering business he recently started. This is a misuse of government resources because Tony is using County resources for personal gain.

## Outside Employment - Example



- ▶ Can he use County role to benefit the outside agency or vice versa?
- ▶ Very fact specific
- ▶ Contact the Ethics Board!

Here's an example.

Jim works for Disability Services. In his County employment, he works with adults and has no input on contracts. He wants to get a second job with a juvenile services agency who contracts with the County, but his position at the agency would only work with kids who are part of a state program.

If the employee cannot use his County role to benefit the agency, the second job would likely be permitted under the ethics code. Here, Jim works with a different age group in each job and does not have a way to benefit the agency through his job with the County.

But keep in mind, outside employment issues are very fact specific.

If Jim made referrals to juvenile services agencies in his role with the County or if Jim oversaw contracts involving his second employer, then this second job would likely NOT be allowed.

Again, outside employment is very fact specific, so contact the Ethics Board **before** you take a second job!

## Post Employment - Example



- ▶ 12 Month Restrictions
- ▶ Permanent Restrictions
- ▶ Contact the Ethics Board!

Again, an example.

Shawna worked in Child Support. Part of her job was supervising intake interviews. She personally and substantially worked on Janice's case. She left County employment for a position with Fake & Alias, a private law firm.

For 12 months, Shawna cannot contact Child Support about any matter, contact anyone at the County about intake interviews, or provide contractual services to the County on behalf of Fake & Alias or any other non-governmental person that pays her for that contact.

But note that Shawna has no restrictions on these contacts if she is not paid for them.

Shawna can never work on the matter she worked on for Janice at Child Support on behalf of any other entity than the County, even if she isn't paid or if she is working for a government.

Contact the Ethics Board **before** you interact with the County in a new job.

We can assist you even if you no longer work for the County.

Also, exemptions to these restrictions can be made in certain circumstances.

## Political Activity



And for our last major ethics issue area, some notes about political activity.

As a public employee or official, it is important that you are unbiased and appear unbiased to the public while engaged in your official duties.

Do not engage in political activities at work.

For example: do not wear or display items with political messages; do not distribute campaign literature; do not fund raise; and do not encourage or discourage political activity of others.

You may engage in political activities on your own time, of course, but you must not do so while on the job.