

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

E-DPM Instruction No. 18-2

SUBJECT: District of Columbia Ethics Manual

Date: February 7, 2012

This instruction may be accessed electronically at www.dchr.dc.gov, by clicking on the "District Personnel Manual" link; and the "Issuances" link for Chapter(s) 18

NOTE: This Electronic-District Personnel Manual (E-DPM) Instruction Issues District Of Columbia Ethics Manual, Dated December 30, 2011, (Rev. 1/12), Provided By The Office Of The Attorney General For The District Of Columbia, And Sets Forth Policies Regarding Employee, Agency And Ethics Counselor Duties And Responsibilities Related To Ethics.

1. Purpose

The purpose of this E-DPM instruction ("Instruction") is to issue the District of Columbia Ethics Manual ("Manual") [*Attachment 2*] and set forth policies and procedures for employees of subordinate agencies to follow in addressing ethical issues that may arise during the course of employment with the District of Columbia government. This Instruction also sets forth the ethics-related duties and responsibilities of employees, agencies and Ethics Counselors.

Policies within this Instruction require specific, time-sensitive action on the part of employees, agencies and Ethics Counselors. Review the provisions related to your respective position(s) in District government, and complete the actions described within the time required.

2. Scope

This Instruction and the Manual are guides to ethical standards for District government employees. However, neither document describes each and every rule related to ethics, or every situation of ethical conflict that may arise. For answers to specific ethical inquiries, consult your agency's Ethics Counselor or the Ethics Counselor for the District of Columbia, the Attorney General.

Note: E-DPM instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employee under their respective jurisdictions.

Distribution: Agency Heads, HR Advisors, and E-DPM Subscribers
Retain Until Superseded

3. Authority

a. Statutory Provisions

Federal - 18 U.S.C. §§ 201, 203, 205, 207, 208 and 209.
District - D.C. Code §§ 1-1106, 1-615.51.

b. Regulatory Provisions

District Personnel Manual (“DPM”) Chapters 16 and 18

3. Applicability

This Instruction and the attached Ethics Manual apply to all employees and volunteers of subordinate agencies of the District of Columbia government.

4. Policies

a. Responsibilities

1. **Agency Responsibilities** – within 5 days of the effective date of this Instruction, each District agency under the personnel authority of the Mayor must notify each District government employee within the agency to log on to Employee Self Service and perform the responsibilities outlined in Section 4 (a) (2) of this Instruction, entitled “District Government Employees Responsibilities.”

2. **District Government Employees’ Responsibilities**

- i. Within 60 days of the effective date of this Instruction, or within 5 days of the entrance-on-duty date of a new hire, each District government employee must log on the Employee Self Service and follow the instructions within *Attachment 1* of this Instruction to take the Ethics Pledge and acknowledge receipt of the Ethics Manual; and
- ii. By December 31, 2012, or within 120 days of employment with the District government, each employee must complete ethics training provided by the Workforce Development Administration, DCHR.

3. **Agency Ethics Counselors’ Responsibilities** – each subordinate agency’s Ethics Counselor must:

- i. By March 31, 2012, or within 30 days of appointment if the appointment is after March 31, 2012, participate, in the ethics training course provided by the Workforce Development Administration, DCHR, and secure a certificate of completion.
- ii. Within 120 days of the effective date of this Instruction, or within 120 days of appointment, gather and maintain copies of all District laws, regulations,

orders and advisory opinions with respect to ethical conduct and financial disclosure which are applicable to agency employees.

- iii. Monitor compliance of agency employees' requirement to take the pledge on an ongoing basis. (Reports of agency employees who have taken the pledge are available upon request from the Workforce Development Administration).
- iv. Monitor compliance of agency employees' requirement to complete training on an ongoing basis. (Reports of agency employees who have completed training are available upon request from the Workforce Development Administration).

b. Ethics Violations

- 1. Investigations of possible violations of District ethics laws and/or policies are processed and investigated by the following authorities:

INVESTIGATION TYPE	INVESTIGATING AGENCY
Allegations of ethics violations by high-level, District government officials	Office of Campaign Finance (OCF)
Allegations of ethics violations by all other District government employees	Agency heads
Allegations of post-employment ethics violations	DC Ethics Counselor (Attorney General for the District of Columbia)
Allegations of Hatch Act violations – involving partisan political activities	US Office of Special Counsel
Criminal violations	US Attorney's Office and the Federal Bureau of Investigation

NOTE: The Office of the Attorney General (OAG), the Office Inspector General (OIG) and the DC Auditor may also conduct investigations that sometimes implicate ethics allegations.

- 2. Career Service employees found to have committed one or more ethical violations by either their Agency Head, or by any other, appropriate authority, shall be disciplined according to the regulations with Chapter 16 of the DPM.
- 3. Management Supervisory Service and Excepted Service employees found to have committed one or more ethical violations by either their Agency Head, or by any other, appropriate authority, shall be terminated where appropriate, or subject to disciplinary action as determined by Agency Heads.

c. Duties to Report

- 1. Employees' Duty to Report
 - i. Employees are REQUIRED to report any information they reasonably believe is evidence of:

- a. Gross mismanagement;
 - b. Gross misuse or waste of public resources or funds;
 - c. Abuse of authority in connection with the administration of a public program or the execution of a public contract;
 - d. A violation of federal, state, or local law, rule or regulation, or of a contract between the District government and a District government contractor, which is not of a merely technical or minimal nature; or
 - e. A substantial and specific danger to public health and safety.
- ii. As soon as the employee becomes aware of the violation or the misuse of resources, the employee shall file an oral or written report to a supervisor, Ethics Counselor or a public body.
 - iii. Failure by an employee to report violations described in Section (4)(c)(1)(i) above may result in disciplinary action or criminal prosecution.

**** NOTE****

All reports of violations involving waste, conflicts of interest, corruption or criminal activity as described in Section (4)(c)(1)(i) above shall be made without repercussion from management or another District government employee.

**EMPLOYEES HAVE THE RIGHT TO DISCLOSE
MISMANAGEMENT, WASTE, FRAUD, ABUSE OF AUTHORITY,
VIOLATIONS OF LAW AND/OR THREATS TO PUBLIC HEALTH
OR SAFETY, WITHOUT FEAR OF RETALIATION OR REPRISAL.**

2. Supervisors' Duty to Report

- i. Each supervisor employed by the District government is **REQUIRED** to report any information the supervisor reasonably believes is evidence of a violation of federal, state, or local law, rule, or regulation or of a term of contract between the District government and a District government contractor, which violation is not of a merely technical or minimal nature.
- ii. Each supervisor shall make required disclosures as soon as the supervisor becomes aware of the violation.
- iii. The failure of a supervisor to make required disclosures shall be a basis for disciplinary action, including dismissal, and may be a basis for criminal action.

5. Inquiries

TOPIC	POINT OF CONTACT	Phone
Ethics Manual	<i>Kathleen Clark, Special Counsel - OAG</i>	(202) 724-1521
This E-DPM Instruction	<i>Dwayne Toliver, Deputy General Counsel, DCHR</i>	(202) 727-1558
Accessing Ethics Pledge & Manual in PeopleSoft	<i>PeopleSoft Help Desk</i>	(202) 727-8700
Employee Ethics Training	<i>Workforce Development Administration, DCHR</i>	(202) 727-1523

6. Effective Date

This Instruction is effective February 3, 2011, and shall remain in effect, until rescinded.

7. Collective Bargaining Provisions

In the event of any conflict between the terms of this Instruction and any applicable Collective Bargaining Agreement (CBA), the terms or provisions of the CBA shall control, however, the remainder of the terms of this Instruction shall apply to the fullest extent possible.


 Shawn Y. Stokes, Director
 D.C. Department of Human Resources

Attachments

- Attachment 1 – Instructions to Access and Sign the Ethics Pledge and Manual.
- Attachment 2 – District of Columbia Ethics Manual and Appendices – Issued December 30, 2011 (Rev. 1/12).

GOVERNMENT OF THE DISTRICT OF COLUMBIA



Department of Human Resources

Instructions to Access and Sign the Ethics Pledge on PeopleSoft

1. Log-In to PeopleSoft
2. Click on 'Self-Service'
3. Click on 'Personal Information'
4. Click on 'DC Ethics Pledge Form'
5. Read the Pledge
6. Click on the link for the Ethics Manual
7. Review the Ethics Manual
8. Click 'Agree'
9. Click Submit

If for any reason you have trouble accessing the D.C. Ethics Pledge Form, immediately contact the PeopleSoft Help Desk at (202) 727-8700.

Note: Inability to access the Acknowledgement Form for the Ethics Manual on PeopleSoft or inability to access the Ethics Pledge does not relieve an employee's responsibilities within this E-DPM Instruction. An employee may receive an extension of time to fulfill responsibilities if he or she has received a ticket generated from contacting the Help Desk as described above.