

Ethical Practice Board Meeting of November 15, 2022

Ethics Inquiry Report Summary

37 Inquiries (**37** Categories) since the September report

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| Conflict of Interest – 2 | Complaint Process – 5 |
| Outside Employment – 3 | Use of City Resources – 4 |
| Political Activity – 4 | Statements of Economic Interest – 2 |
| Gifts – 7 | Bias/Favoritism – 0 |
| Ethics Education – 5 | Use of Official Position – 1 |
| Nepotism – 0 | Ethical Practices Board – 0 |
| Use of Information – 0 | Related Policies: Gifts Between Employees – 0 |
| Loans – 0 | Related Policies: Gifts to the City – 2 |
| Discrimination/harassment – 0 | Related Policies: Charitable Organizations – 0 |
| Post-Employment – 0 | Contracts – 0 |
| Lobbyists – 0 | Aspirations – 0 |
| Fiduciary Duty – 0 | Inappropriate Influence – 0 |
| Employee Relations – 0 | Required Reporting – 0 |
| Miscellaneous – 2 | |

2022 Ethics Inquiries
11/10/2022

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| 9/18/2022 | Emailer writes to complain as to why Person is employed for a position that should require a background check when Emailer has an OFP against Person and Person has a history of abuse. | Miscellaneous | | Informed Emailer that Person is not a City Ee. The City has a contract with Vendor, which employs Person. The Ethics Code does not apply to Person. Forwarded Emailer's concerns to the contract manager for the contract for a contract compliance check. |
| 9/19/2022 | Dept asked for guidance to provide to the Dept's employees about their involvement in the fall elections. | Political Activity | 15.110 | Informed Dept that an article would be forthcoming in the next Minneapolis Matters. Requested Dept share the article with Dept's Ees and have them reach out with any questions. |
| 9/21/2022 | EO asked if it would be ok to make a political announcement at a council meeting | Political Activity | 15.110 | It would be inappropriate to use the announcements period of a council meeting to make a campaign related announcement. |
| 9/21/2022 | Ee sent an OE form to me. | Outside Employment | 15.60 | Informed that this form is not filed with me. Recommended that Ee and Ee's supervisor keep a copy of it but the form is required to be filed in Ee's electronic personnel file. The department administration should work with the Dept's assigned HRBP to accomplish that task. |
| 9/23/2022 | Ee asks if Ee may use City computer, during non-work hours, to make political comments on social media | Use of City Resources | 15.100 | Informed Ee City resources of any sort - copiers, computers, paper pens, etc. - may not be used for political activity. This is per the Ethics Code and the Electronic Communication Policy. Encouraged Ee to view the on line political ethics video available in COMET. |
| 9/27/2022 | Ee was invited to attend conference by City's community partner who would pay travel and registration. May Ee accept gift? | Gifts | 15.50 | This is an impermissible gift. If attendance at the conference meets public purpose- is pertinent to the duties of the employee- then the gift must be accepted by City council resolution prior to the conference. |
| 9/30/2022 | Parent emailed with concerns about how MPD handled a 911 call. Parent had called 911 due to teen's behavior. Teen was taken to hospital via ambulance but later released and Parent did not know where teen was. Parent was upset with Police. | Miscellaneous | None | Requested assistance of the Criminal Division staff. Staff called Parent and advised Parent to call 911 and talk with them about a missing person's case. |
| 10/3/2022 | Ee would like Dept to provide Service that Ee would find useful. Asked if this would meet public purpose. | Use of City Resources | 15.100 | Service has been secured by Depts in the past and the general consensus is that public purpose exists; however DH is responsible for how Dept Budget is spent and if DH doesn't want to spend money on Service, Ee has no recourse. |
| 10/4/2022 | Ee reports trying to complete the training in comet. I don't see a Required Learning tabs in COMET. Ee emailed for support with finding the training. | Ethics Education | 15.260 | Provided screen shots and instructions for Ee and directed Ee to HR Training and Learning if the Ee is still having difficulty. |
| 10/4/2022 | DH asks if we are any closer to employees receiving notification automatically when they fall out of compliance? | Ethics Education | 15.260 | Informed DH I don't know the answer and referred DH to HR or HR/IT. I haven't been in any discussions about that possibility though I am 1000% in favor. |
| 10/5/2022 | Informed a departing AO did not complete a termination SEI. | Statements of Economic Interest | 15.80 | Such termination SEI is not due until January of the year following termination but because it is easier to get these forms soon after departure, looked up AO's contact information and provided it to the Clerk's Office. |
| 10/5/2022 | Event is coming to Mpls. Ordinance requires a pre-event inspection. Ee needs to travel to conduct the pre-event inspection. The event sponsor is reimbursing the travel costs after the inspection is completed. | Gifts | 15.50 | Reimbursements not part of contractual agreements are still gifts to the City. Being reimbursed by entities who need/want favorable inspections raises bias/favoritism concerns. Before the Department accepts the "reimbursement", it should be approved by council resolution. |
| 10/5/2022 | Informed of broken links in the online ethics education materials. | Ethics Education | 15.260 | Forwarded issue to HR Training and Development. |
| 10/6/2022 | Informed of a potential concern in a dept. | Complaint Process | 15.250 | Informed DH of concern and DH informed me that the concern was not accurate. |
| 10/6/2022 | EO reached out on behalf of a constituent who was not pleased with conduct of Ee. | Complaint Process | 15.250 | Matter was referred to supervisor. Followed up with Dept to confirm matter was handled and Dept circled back with complainant. |
| 10/7/2022 | Emailer raised concerns about city employees' use of personal social media.. | Complaint Process | 15.250 | Explained that I may not discuss individual Ee situations. Explained scope of EPB and Ethics Code. Provided copy of complaint form, Rules and Code. |
| 10/11/2022 | Dept requested review of resolution accepting gifts of event. | Related Policy - Solicitation for Gifts to the City | None | Reviewed resolution and met with Dept staff to discuss future events of this sort. |

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| 10/13/2022 | Consultant recognizes an inherent conflict that would exist if Consultant were to serve as both City consultant and Other Entity's contractor. Consultant has proposed solution. | Conflict of Interest | 15.40 | Informed Dept of an improved solution to protect City interests. |
| 10/14/2022 | Dept inquired about the public purpose of an Ee reimbursement request | Use of City Resources | 15.100 | Agreed with Dept that the applicable policy doesn't permit this reimbursement and would be a reimbursement providing a perk to individual. |
| 10/14/2022 | EO alerted me of a gift being offered to various EOs and AOs from a Lobbyist Principal and wanted confirmation that the gift was prohibited. | Gifts | 15.50 | Confirmed EO should not accept gift. Sent email to all DHs and EOs with instructions to not accept gift. Also reached out to Lobbyist Principal's representative to remove the Minneapolis officials from the gift "campaign". |
| 10/17/2022 | Caller wants to discuss EO's interactions and non-interactions with constituents. | Complaint Process | 15.250 | Explained that I may not discuss individual situations. Explained scope of EPB and Ethics Code. Provided copy of complaint form, Rules and Code. |
| 10/17/2022 | ABC member is running for elected office and wants to know if member may still serve on the ABC. | Conflict of Interest | 15.40 | The work of the ABC is not likely to involve the work of the elected office or the entity with the elected office so the service is still acceptable. ABC member should check Entity's rules if elected. If entity work does come before the ABC, Member would need to recuse. |
| 10/19/2022 | Emailer raised concerns about an alleged gift to a person who is not currently a city Ee. Also an inquiry by the press . | Gifts | 15.50 | The Code covers conduct by a City Ee, an AO appointed to a City ABC, or an EOElected to either the City Council or the BET in violation of a substantive section of the Code. The Code does not cover non-City Ees, including EOs and Ees of the MPRB. Volunteers and employees of political campaigns, and political campaigns themselves, are also not covered by the Code. |
| 10/19/2022 | Entity paid for Ee1's expenses for event. Dept2 declined Ee2's use of City funds for event due to lack of public purpose. Ee1 submitted reimbursement for City Council gift acceptance. | Related Policy - Solicitation for Gifts to the City | None | A gift resolution should only be prepared for gifts for which a public purpose exists for gift's use. Since no public purpose exists, the gift needs to remain a gift to the individual Ee. |
| 10/19/2022 | Newly appointed AO had questions about completing investment section of SEI | Statements of Economic Interest | 15.80 | Walked through AO Ee's questions and also sent AO Ee the MnCFBd's public official handbook. |
| 10/19/2022 | Dept1 is concerned because Dept2 has arranged for all City vehicles to have "Get out the Vote" magnetized posters attached to them. | Political Activity | 15.110 | This is "get out the vote" nonpartisann activity which is permissible. |
| 10/21/2022 | Caller wants to discuss EO's actions. | Complaint Process | 15.250 | Explained that I may not discuss individual situations. Explained scope of EPB and Ethics Code. Provided copy of complaint form, Rules and Code. |
| 10/22/2022 | Nonprofit requested AO write a letter of support of state law changes to be submitted to the State &/or Legislature. | Use of Official Position | 15.70 | Informed AO that AO may not write such a letter. Legislative Policy is set by the Mayor and Council and the IGR staff implements. |
| 10/25/2022 | Ee & Guest have been invited to attend nonprofit's annual benefit. Nonprofit has no current business before the City, and Ee does have a business purpose in attending. | Gifts | 15.50 | Since Ee is an AO and is not on the agenda as a featured speaker, Ee needs to pay for the event tickets but need not pay the donation/fundraiser portion. Because there is a city purpose in Ee's attendance, City budget may be used for the tickets. |
| 10/25/2022 | Ee took Ethics Ed and documented all the IT problems encountered when taking course. Ee informed HR & Ethics of the situation. | Ethics Education | 15.260 | HR responded "were aware of the broken links on the job aid and will hopefully have that fixed soon. Since this content was created by an outside vendor, we don't have the editing access we have with our other content. However, I do believe we can update the job aid that has a number of broken links (caused when we updated our websites)." |
| 10/26/2022 | Dept has concerns about accuracy of the COMET Ethics Education Report as it includes employees who are on leave and likely to be separating from the City. | Ethics Education | 15.260 | Informed Dept I would reach back out in January to confirm the accuracy of the end-of-the year report. |
| 10/27/2022 | EO would like to use headshot of EO that is on the City website. May EO do so? | Political Activity | 15.110 | EO may not use city property for political purposes and thus may not use the headshot. |
| 10/28/2022 | EO was offered a promotional item from Entity registered as a lobbyist principal. Principal reports item costs less than \$5. May EO accept item? | Gifts | 15.50 | The exception shuplw1qj#dffhswdqfa#trinket or memento costing five dollars (\$5.00) or less" applies and EO may accept item |
| 10/31/2022 | Dept1 raises concerns about Dept2 holding "Events" and providing food/beverage at "Events" | Use of City Resources | 15.100 | Confirmed concern with both the holding of Events and use of City funds for food/beverage |

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| 11/7/2022 | Ee has been invited by State EO to fly on state plane to state event. Event is related to Ee's prior work. Is it ok for Ee to accept? | Gifts | 15.50 | Yes. MN Campaign Finance has opined that other governmental entities are not prohibited sources. |
| 11/7/2022 | Ee sent an OE form to me. | Outside Employment | 15.60 | Informed that this form is not filed with me. Recommended that Ee and Ee's supervisor keep a copy of it but the form is required to be filed in Ee's electronic personnel file. The department administration should work with the Dept's assigned HRBP to accomplish that task. |
| 11/9/2022 | A couple Ees in Dept won elections yesterday. Dept wants to know what if anything must be done from an ethics standpoint. | Outside Employment | | Since Ees will be paid for their positions, they should complete OE forms. A communication will be sent to all Ees newly elected to various positions. |