

# Ethics Training



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# Why Ethics Training?

- Ethics laws, principles, and regulations apply to ALL employees and Soldiers
- Assist you with understanding why the rules exist and how they apply
- Give you a chance to ask questions



# Where Does Ethics Training Start?

- Begin with the basics
- The tools needed to comply with all ethics rules and regulations
- The 14 Principles of Ethical Conduct
  - They form the box
  - Think INSIDE the box!



# The Principles of Ethical Conduct

## 5 CFR § 2635.101(b)

1. Public Service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.



# Oath of Office

## “Defending the Constitution”

- Officers and Army Civilians
  - “I do solemnly swear/affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter.”



# The Principles of Ethical Conduct

2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.



# Conflicts of Interest

- Participation in official matters
  - procurement actions
- Outside financial interests of self/spouse/child
- Actual vs. Appearance
- Disqualification
  - Ethics Counselor



# Non-Public Information

- Procurement Integrity
- Classified Information
- Privacy Act
- Trade Secrets Act



# The Principles of Ethical Conduct

4. An employee shall not, except as permitted by law or regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.



# The #1 Gift Rule

Nothing requires a person to  
accept a gift - you may ALWAYS  
decline!



# Gifts From Outside the Government - Prohibited Sources/Official Position

- Why is gift being offered?
- What is a gift?
- Who or what is a prohibited source?
- Is acceptance of any offer from a prohibited source improper?



# What is a Gift?

- Gift
  - any item of monetary value
- “non-gifts”
  - little intrinsic value intended solely for presentation
  - coffee and donuts
  - discounts or offers made to class/group



# Who or What is a Prohibited Source?

- Does business with Army
- Seeks to do business with Army
- Conducts activities that Army regulates
- Interests may be substantially affected



# Prohibited Sources



- Professional associations
- Non-profit organizations
- Educational institutions
- State and Local governments/agencies
- Defense contractors
  - contractor personnel



# Gifts from Contractor Personnel

- Contractor Employees are Prohibited Sources
  - General rule – no gifts solicited or accepted
  - No solicitation for retirement or other gift for Government employee or Soldier



# Exceptions to the Rule

- Market value  $\leq$  \$20
- < \$50 per source per calendar year
- Gift to group or class of employees or Soldiers
  - based on other than official position/rank
- Award for service achievement
  - established program



# What do I do if Gift is Offered?

- Decline!
  - Remember the #1 Rule
- If you cannot decline:
  - gift to agency
  - consumable goods
  - pay market value to donor
  - return gift



# Gifts Between Government Employees

- An employee is prohibited from:
  - giving or soliciting contributions for gifts
  - to someone in subordinate - official superior chain



# Gifts Between Government Employees

- An employee is prohibited from:
  - accepting gifts from
  - employees who receive less pay
    - unless no subordinate - official superior relationship  
AND
    - personal relationship justifies gift



# The #1 Gift Rule Again!

Nothing requires a person to  
accept a gift - you may ALWAYS  
decline!



# Exceptions

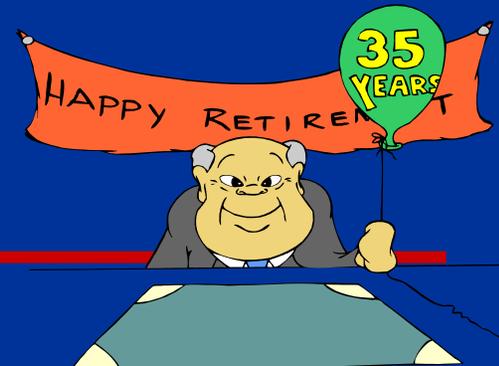


- $\leq$  \$10 per occasion
  - birthday gift
  - vacation souvenir
  - no cash
- Refreshments shared in office
- Hospitality at employee's home



# Exceptions

- Special infrequent occasions
  - Gift appropriate to the occasion ok for
  - marriage, illness, birth or adoption of child
  - retirement, resignation, transfer
  - promotion IF terminates existing subordinate
    - official superior relationship



# Exceptions



- Special infrequent occasions
  - Value of gift
    - Not to exceed \$300 per donating group
  - More than 1 donating group
    - If employee contributes to more than one group, the cost of the gifts of the different groups become one for purposes of \$300 limitation



# Exceptions

- Voluntary contributions
- Nominal amount
  - JER - may solicit no more than \$10, and only for special infrequent occasions
  - Individual may donate more
- Refreshments can be separate



## The Principles of Ethical Conduct

5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.



# The Principles of Ethical Conduct

7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.



# Protect & Conserve Government Property

- Use of government property
  - official and authorized purposes only
- Communications Systems
  - computers, telephones, Email, Internet
    - may be used for authorized purposes
  - cell phones
    - Army policy - official use only



# Protect & Conserve Government Property

- Use of Subordinates
  - personnel are resources too!
  - personal errands, meals, dry cleaning, shopping
    - Improper to ask subordinates
    - Decline offers of subordinates



# The Principles of Ethical Conduct

10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.



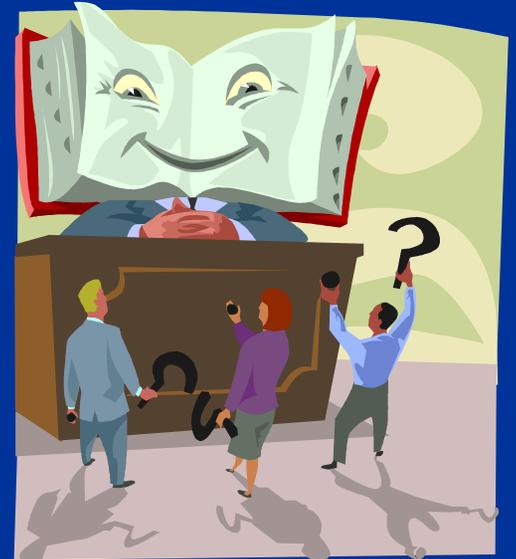
# The Principles of Ethical Conduct

13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.



# Conclusion

- 14 Principles - only the start
  - Code of Federal Regulations
  - Joint Ethics Regulation
- Questions/Concerns
  - Ask your Ethics Counselor
  - Ask BEFORE you act
- Ethics is Everyone's Responsibility



# Questions?

