

Keeping Your Job:

“Ethical Landmines To Avoid In The Contracting Process”

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ome » Press Releases » Carr Announces Indictment Against Former Employee and Spouse for Stealing More Than \$200K in Taxpayer Money

Carr Announces Indictment Against Former DJJ Employee and Spouse for Stealing More Than \$200K in Taxpayer Money

June 25, 2018

ATLANTA, GA – Attorney General Chris Carr today announced charges against a former Department of Juvenile Justice employee and her spouse in a scheme that swindled more than \$200,000 dollars from the pockets of taxpayers.

"Officials serve in positions that affect the lives of our citizens of our state," said Attorney General Chris Carr. "It is imperative that state employees discharge those duties faithfully and if they do not, we will hold them accountable."

Ex-DeKalb worker files whistleblower suit related to bid rigging

ATLANTA-NEWS

By Mitchell - The Atlanta Journal-Constitution



Lax oversight allowed high-paid Georgia Tech officials to misuse tax money

ATLANTA-NEWS

By Johnny Edwards and Ty Tagami - The Atlanta Journal-Constitution



Ex-city purchasing director to be charged in Atlanta bribery probe

Former high-ranking official facing charge in Atlanta City Hall bribery investigation

CRIMINAL CHARGE

Adam Smith

Bribery Investigation

Former Reed aide charged with bribery in corruption probe



Atlanta City Hall: Former Reed aide charged with bribery

ATLANTA-NEWS

By Dan Klepal, Stephen Deere and J. Scott Trubey - The Atlanta Journal-Constitution

Senior staffer of former Mayor Reed charged in city hall bribery investigation



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Important USG Ethics & Compliance Policies

USG Ethics Policy

Conflict of Interest, Conflict of Commitment & Outside Activities Policy

Political Activity

Gratuities Policy

Amorous Relationship Policy

Use of Resources

USG Policy: Whistleblower Protection

USG Purchasing & Contracting Procedures

USG Ethics Policy (BOR 8.2.18.1)

Consists of Core Values & Code of Conduct

Core Values:

1. Integrity
2. Excellence
3. Accountability
4. Respect

**** Form & guide the daily work of the organization**

Applicability: All members of the USG community:

- Members of the Board of Regents
- All individuals employed by or acting on behalf of the USG to include volunteers, vendors & contractors
- Members of governing boards and cooperative organizations to include foundations.

Problem Areas

- 1. Conflicts of Interest**
 - A. Procurement
 - B. Outside Activities
 - C. Vendor Relationships
- 2. Improper Gratuities**
- 3. Employment of Relatives**
- 4. Retaliation**
- 5. Reporting Employee Malfeasance**

Lessons Learned: Recent Reviews

- 1. Do not become a paid consultant for a vendor you supervise.**
- 2. Do not have vendors hire your family members.**
- 3. Do not involve yourself in the hiring of family members at your institution.**
- 4. Do not include in RFPs a requirement to donate money to your department's foundation account.**
- 5. Do not misuse year-end money so as not to lose it.**
- 6. Do not accept money to serve on the board of a vendor you supervise.**
- 7. Do not accept prohibited gratuities from vendors to include vacations and use of vehicles.**
- 8. Do not sign other people's signature to employee promotion documents.**
- 9. Do not enter into contract negotiations with a close personal friend, family member, or someone with whom you are romantically involved.**

Creating an Ethical Culture – Doing Your Part

- 1. Are you reviewing the ethics policy with new employees?**
- 2. Do you discuss your expectations around ethical decision-making with them? Are your direct reports doing the same?**
- 3. Are your employees aware of the need to obtain approval for compensated outside activities?**
- 4. Do your employees know the process to follow to obtain approval for outside activities?**
- 5. Do your employees know to avoid conflicts interest and to report potential conflicts of interest?**
- 6. Do employees feel like they can speak up when they see something that may not be appropriate?**
- 7. Are you rewarding ethical decision-making when you see it?**
- 8. Do you model ethical leadership (Your actions speak so loudly ...)**
- 9. Do your employees know there is an Ethics Line?**

Web Resource Page for COI

Webpage: [Conflict of Interest Resource Page](#)

- Relevant Policy Provisions
- Approval Process
- Forms
- FAQs

O.C.G.A. § 45-1-6 Gifts to Employees; Disclosures & Reports

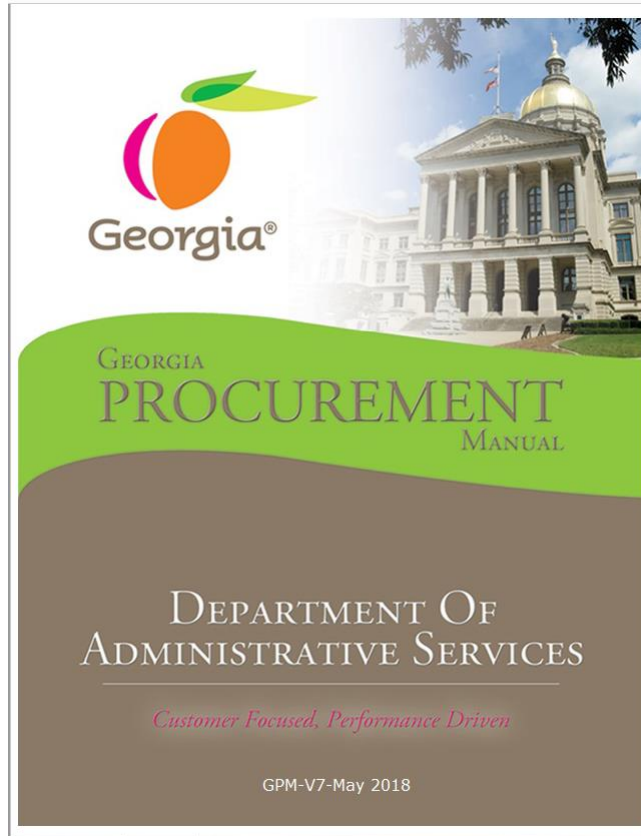
Any vendor who, **either directly or through another person, makes a gift or gifts to one or more public employees exceeding in the aggregate \$250.00 in value during any calendar year** shall file a disclosure report with the commission in the form specified by the commission listing the amount and date of receipt, the name and mailing address of any vendor making the gift, and the name, address, and position of each public employee receiving such a gift.

Malfeasance Reporting BPM16.4.5

Malfeasance Reporting

- Incidents involving suspected criminal malfeasance by an employee **must be reported to the Director of Ethics & Compliance** once an initial determination has been made that employee malfeasance **may have occurred**.

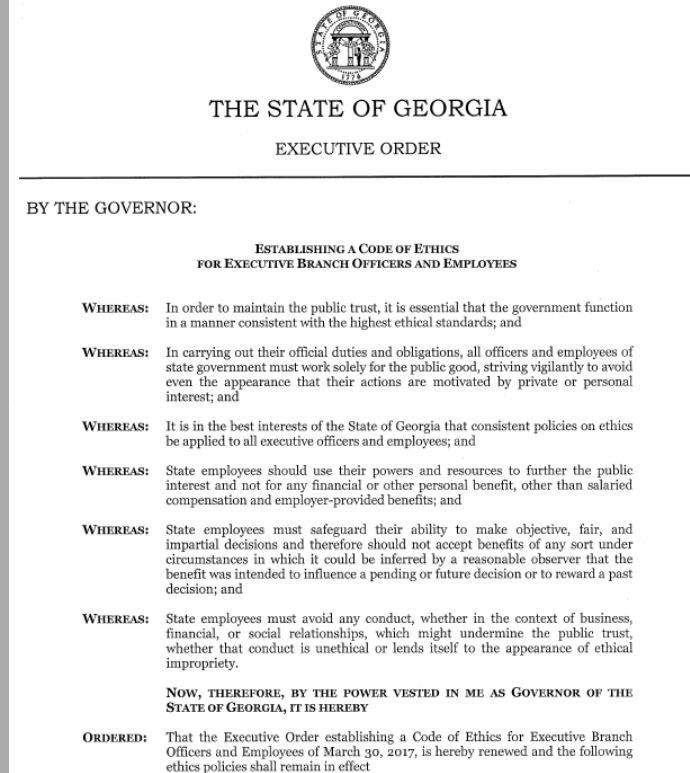
Georgia Procurement Manual



Section 8.2.1. APO/CUPO Responsibilities

- Providing methods to **ensure all purchasing laws, rules, regulations and procedures are observed** within the state entity;
- **Mentoring and training all staff**, at a minimum annually, and ensuring completion of GCPA Certification as needed;
- Ensuring that the **ethics of public procurement** are being maintained;

Georgia Code of Ethics for Executive Branch



- Governor Kemp issued an Executive Order renewing the March 30, 2017 Code of Ethics
- In order to maintain the public trust, it is essential that the government function in a manner ***consistent with the highest ethical standards***
- All employees must ***work solely for the public good, striving vigilantly to avoid even the appearance that their action are motivated by private or personal interest***

Ethical Rules of Conduct



Code of Ethics

- Uphold the law; No special favors or privileges
- No private promises binding on the State
- No business with the State inconsistent with duties
- Don't use confidential information for private gain
- Expose corruption



Additional Duties as Procurement Staff

- Act in Good Faith; Uphold Fiduciary Duty
- Advance the State's Interests
- Avoid Conflicts of Interest
- Adhere to Gift Restrictions Policy



Unlawful Actions

- Trading with State Employees
- Collusion, Bribery or Fraud
- Financial Interests, Personal Benefit or Gain
- Purchases Contrary to Procurement Rules

Resources

- State Entity's Ethics Officer
- SPD Policy Team/DOAS Legal
- SPD Audits Team
 - To report any act of fraud, waste, or abuse related to procurement, please complete the online form at [SPD Fraud, Waste, and Abuse tip line](#).
- Office of Inspector General
 - Contact the hotline to report fraud, waste or abuse regarding management and operation of state agencies within the executive branch.
 - Toll Free: 866-HELP OIG ([+1 866-435-7644](#))
 - [File a Complaint Online](#)

Doing The Right Thing Is Not Always easy!

But It Is Always Right!