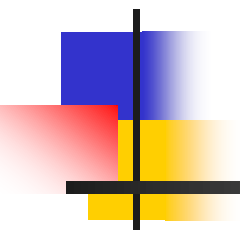


# GOVERNMENT ETHICS FOR SUPERVISORS



Office of Counsel  
Marine Corps Combat Development Command and  
Marine Corps Base, Quantico  
703-784-3009

Laurie Baird Hurley, Associate Counsel  
[Laurie.hurley@usmc.mil](mailto:Laurie.hurley@usmc.mil)



# WHAT WE'LL COVER

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- Gifts
- Use of Government Resources and Time
- Confidential Financial Reporting – 450's
- Outside Employment for 450 filers
- Post-Government Employment for 450 filers



# Statutes & Regulations

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- Gifts, 5 USC 7351, 5 USC 7353, 5 USC 7342, 31 USC 1353
- Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part 2635
- DoD Joint Ethics Reg (JER)
- 5 CFR 2634 Conflicts of Interests
- 18 USC 208 Financial Interests
- 18 USC 207 Restrictions on Post-Gov Employment



# GIFTS BETWEEN EMPLOYEES

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- No gifts from subordinates
  - Someone below you in grade or chain of command – see exceptions
- No donations or solicitations for gifts for superiors.
- Exceptions: (1) for occasions, such as holidays or birthdays, you may accept goods worth of up to \$10; (2) hospitality gifts; and (3) food shared in the office



# EXCEPTIONS TO THE RULE

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- On special, infrequent occasions:
  - Marriage, illness, or birth or adoption of a child
  - Retirement, resignation, or transfer
    - Voluntary contributions up to \$10/person for group gift – pass around an envelope
    - Give an appropriate gift to a superior
    - Accept appropriate gifts and group gifts that do not exceed \$300 from subordinates (ask Office of Counsel for guidance).



# USE OF GOVERNMENT RESOURCES

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- General rule: Use Federal Government equipment and property only for official purposes or authorized purposes as approved by your supervisor.
- As supervisor, you can allow limited exceptions for unofficial use –
  - For school/training in support of job
  - As long as it has a minimal impact
  - All employees treated similarly



# USE OF GOVERNMENT TIME

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- Use official time in an honest effort to perform official duties, and don't ask subordinates to perform tasks outside their official duties.



# FUNDRAISING

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- You may raise funds for organizations in your personal capacity, but you may not use your official title, position, or authority to fundraise, nor may you solicit subordinates or prohibited sources.
- Examples – you are not allowed to fundraise on federal property except CFC (no Girl Scout cookies, no Boy Scout popcorn, no school fundraisers)





# Confidential Financial Disclosure Report—OGE Form 450

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- Employees who deal with procurement functions must file 450's.
- Filing is mandatory.
- Supervisor determines who files a 450. It is supervisor's responsibility to sign each of your employees' 450's. Remember: they are **CONFIDENTIAL**. Place reviewed reports in sealed envelopes addressed to the Office of Counsel.



# NEW EMPLOYEES

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- New employees with procurement duties must be identified and the Office of Counsel notified.
- OGE 450 must be signed within 30 days of assuming a new position, covering 12-month period prior to signature. Counsel may grant extensions up to 90 days.
- Reservists and Special Gov't Employees must file prior to assuming their duties.
- Counsel will review the 450 within 60 days.



# FEDERAL v. OFF-DUTY JOB

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- An employee's first loyalty must be to his Federal employer.
  - Cannot use inside info to benefit his/her off-duty employer
  - Cannot spend so much time on his/her off-duty job that the quality of his Federal work suffers
  - What conflicts with official duties?
    - If it is prohibited by statute or agency regs; or
    - If it would require the employee's disqualification from matters critical to the performance of his duties



# OUTSIDE EMPLOYMENT

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- Employees (civilians and military) who file 450's shall not engage in outside employment or any other outside activity that conflicts with his/her official duties.
- Employees (civilians and military) who are required to file a 450 shall obtain prior approval from his/her supervisor before engaging in outside employment.



# YOUR ROLE AS SUPERVISOR

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- Instruct employees who file 450's that all off-duty employment must be approved by you.
- If necessary, contact the Office of Counsel for further guidance.



# POST-GOVERNMENT EMPLOYMENT

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- As a supervisor, you should advise your employees who fill out 450's and who plan to seek a position outside the Government of their obligation to comply with the Ethics in Government Act and other regulations impacting post-government employment.
- Counsel's office has a general guidance memorandum for all employees. We will provide employees with a questionnaire and tailor a legal opinion accordingly.
- We will provide a legal opinion within 30 days of receiving the questionnaire.



# EMPLOYEES' POLITICAL ACTIVITY

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- May NOT
  - use official authority to influence an election to coerce anyone into participating, soliciting or receiving contributions, no official titles in relation to fundraising, no running for partisan office, no participating in permitted activities while on duty or in Government buildings



# EMPLOYEES' POLITICAL ACTIVITY (continued)

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- Employees MAY
  - Serve as officers of political parties, attend political rally, take an active part in campaign, display bumper sticker on privately-owner car, endorse a candidate, address a rally, act as a watcher, serve as election judge, run for non-partisan officer, fundraising, use email to discuss political subjects in manner similar to water-cooler conversations but NOT send messages to high number of people





# BOTTOM LINE

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- Public Service is a Public Trust
  - Be a role model for your employees
  - Keep them out of trouble
- Questions? Call Office of Counsel, 784-3009
  - LeJeune Hall Room 207
    - Jules Rothlein, Counsel
    - Patrick Hodges, Deputy Counsel
    - Denise Gillis, Labor & Employment, Associate Counsel
    - Laurie Hurley, Procurement, Associate Counsel
    - Mike Law, Environmental & Land Use, Associate Counsel
    - Michael Millard, Procurement, Associate Counsel
    - Maj David Morzenti, Labor & Employment, Associate Counsel
    - Tim Slabouz, Intellectual Property, Associate Counsel
    - Nathan Stokes, Environmental & Land Use, Associate Counsel
    - Duane Zezula, Marine Corps Recruiting Command, Associate Counsel