



Document Name:	WMSC Ethics Policy
Approved by	WMSC-R-2021-03
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1.0 Purpose

This policy provides the ethics requirements Washington Metrorail Safety Commission (WMSC) staff are expected to follow during their work and outside activities that are likely to reflect on the WMSC.

2.0 Scope

This policy applies to all WMSC staff.

3.0 Policy

3.1 Use of Government Resources.

An employee may not:

- (a) Use WMSC resources for purposes other than official business or other WMSC-approved or sponsored activities, except for minimal use that does not interfere with an employee’s duties and responsibilities;
- (b) Order, direct, or request subordinate employees to perform any personal services not related to WMSC functions and activities; or
- (c) Use or permit the use of WMSC resources to support or oppose any candidate for elected office or promote a political committee.

3.2 Outside Employment; Volunteering with WMATA.

- (a) Consistent with the WMSC’s [Conflicts of Interest Policy](#), an employee may not engage in any outside employment or business enterprise unless it is determined by the Chief Executive Officer (CEO) to be consistent and compatible with employment by the WMSC and does not represent a conflict of interest. No member of the WMSC staff may be employed in outside work, except when:
 - (i) The employee has submitted a written request to the CEO;
 - (ii) The CEO has determined that no conflict of interest will exist;
 - (iii) The CEO has determined that there will be no interference with the employee's work at the WMSC; and
 - (iv) The CEO has issued written approval to the employee before any outside work commences.
- (b) An employee may not volunteer with the Washington Metropolitan Area Transit Authority (WMATA) or participate in a WMATA-sponsored activity that conflicts or would appear to conflict with the fair, impartial, and objective performance of the



employee's official duties and responsibilities or with the efficient operation of the WMSC.

3.3 Participation in Political Activities.

The WMSC is an interstate compact, a public agency and instrumentality of the District of Columbia, State of Maryland, and Commonwealth of Virginia (collectively, "signatories") authorized by the [Washington Metrorail Safety Commission Interstate Compact](#) (P.L. 115-54) ("Compact"), approved by Congress and enacted by the District of Columbia, Maryland, and Virginia. Because the WMSC's relationship with the signatories and the applicability of the Hatch Act of 1939 (5 U.S.C. §§ 1501-1508), an employee must both be and appear impartial and is therefore limited in the political activities in which the employee may engage. Listed below are general guidelines for WMSC employees:

- (a) For the reasons stated above, it is essential for a WMSC employee to maintain a nonpartisan working relationship with the elected officials and staff of the signatories. Consistent with the restrictions on state and local government employees found at 5 U.S.C. §§ 1501-1508 and 5 C.F.R. §§ 151.121 and 151.122, an employee *may not*:
 - (i) Use the employee's official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 - (ii) Directly or indirectly coerce, attempt to coerce, command, or advise a signatory officer or employee to pay, lend, or contribute anything of value to a political party, committee, organization, agency, or person for a political purpose; or
 - (iii) Be a candidate for partisan elective office because employees are paid by loans or grants made by the Federal Transit Administration.
- (b) An employee is free to engage in political activity in their personal capacity to the widest extent consistent with the restrictions imposed by law and this policy. On an employee's personal time, the employee may participate in all political activity not specifically restricted by 5 U.S.C. § 1502. Such activities include, but are not limited to, the following:
 - (i) Registering and voting in any election;
 - (ii) Expressing personal opinions, privately and publicly, on political subjects and candidates;
 - (iii) Being a member of a political party or other political organization and participate in its activities; and
 - (iv) Taking an active part, as a candidate or in support of a candidate, in a nonpartisan election or candidacy for a political party office. For example, an employee may volunteer personal time to a candidate or cause or personally contribute funds to a candidate or cause.

3.4 Gifts or Gratuities.

- (a) A WMSC employee or members of the employee's immediate family may not give or receive gifts or gratuities from anyone or any entity in a position to benefit from a relationship with the WMSC employee, including WMATA, contractors, vendors,



certain signatory staffs, or any others with whom the WMSC has a business relationship, have in the past had a business relationship, or individuals or entities seeking a business relationship with the WMSC (any such person or organization is a “prohibited source”). All items valued more than \$20 must be immediately returned to the sender. The value of all items received from any one prohibited source may not exceed \$50 in any 12-month period. Meals are considered to be a gratuity. The WMSC generally encourages employees to pay for their own meals in any circumstance that meets the criteria set forth in this provision.

- (b) An employee who receives a gift from any prohibited source must:
 - (i) Notify the WMSC CEO about the gift;
 - (ii) Return the gift to the donor;
 - (iii) Reimburse the donor the market value of the gift; or
 - (iv) If the gift is perishable and it would not be practical to return it to the donor, donate the gift to charity, share it with the office staff, or destroy it.
- (c) A supervisor may not accept a gift from a subordinate employee, except on occasions when gifts are traditionally given or exchanged. Any gift may not have a market value that exceeds \$50.

3.5 Use of Confidential Information.

An employee may not:

- (a) Willfully or knowingly disclose or use confidential or privileged information acquired by reason of their position without written authorization from the CEO or unless authorized or required to do so by law. If an employee is unsure whether information is confidential or privileged, the employee should seek authorization from the CEO before disclosing it.
- (b) Divulge any information used or generated in the course of the employee’s employment in advance of the time prescribed for it to be made publicly available.

3.6 Whistleblower Reporting.

Any WMSC Member, Alternate Member, employee, or contractor who suspects misconduct (including, but not limited to, harassment, fraud, corruption, conflicts of interest, and embezzlement) is expected to immediately report the activity by contacting the WMSC’s third party case management system, Lighthouse Services. Lighthouse will take steps to ensure whistleblower confidentiality. Lighthouse can be contacted via any of the following methods:

- Website: www.lighthouse-services.com/wmsc
- Toll-Free Telephone:
 - English speaking USA and Canada: (833) 401-0002
 - Spanish speaking USA and Canada: (800) 216-1288
- E-mail: reports@lighthouse-services.com (must include the WMSC’s name with the report)
- Fax: (215) 689-3885 (must include the WMSC’s name with the report)