

Ethics, Investigations and Discipline

Presented by

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Overview

- **The Players**
- **The Rules**
- **The Process**
- **Cases**

The Players



The Players

Ethics Official

- Prospective advice
- Contact person
- Liaison
- Post-violation

The Players

- Employee
- Manager
- Agency Counsel/ELR

The Players

- Investigative Agencies
 - Office of Inspector General
 - Office of Professional Responsibility
 - Office of Special Counsel

The Rules



Rules

The Rules

- Standards of Conduct
- Criminal Statutes
- Hatch Act
- Rules of Professional Conduct
- Agency Policies/Misc.

Standards of Conduct

- **Impartiality/Appearance (502)**
- **Misuse of Position (Subpart G)**
- **Gifts (Subparts B and C)**

Criminal Statutes

- **Conflicts of Interest (208)**
- **Post-Employment (207)**
- **Third-party Representation (203/205)**

Hatch Act

- Government resources (734.306)
- Running for office (734.207/734.304)
- Fundraising (734.303)

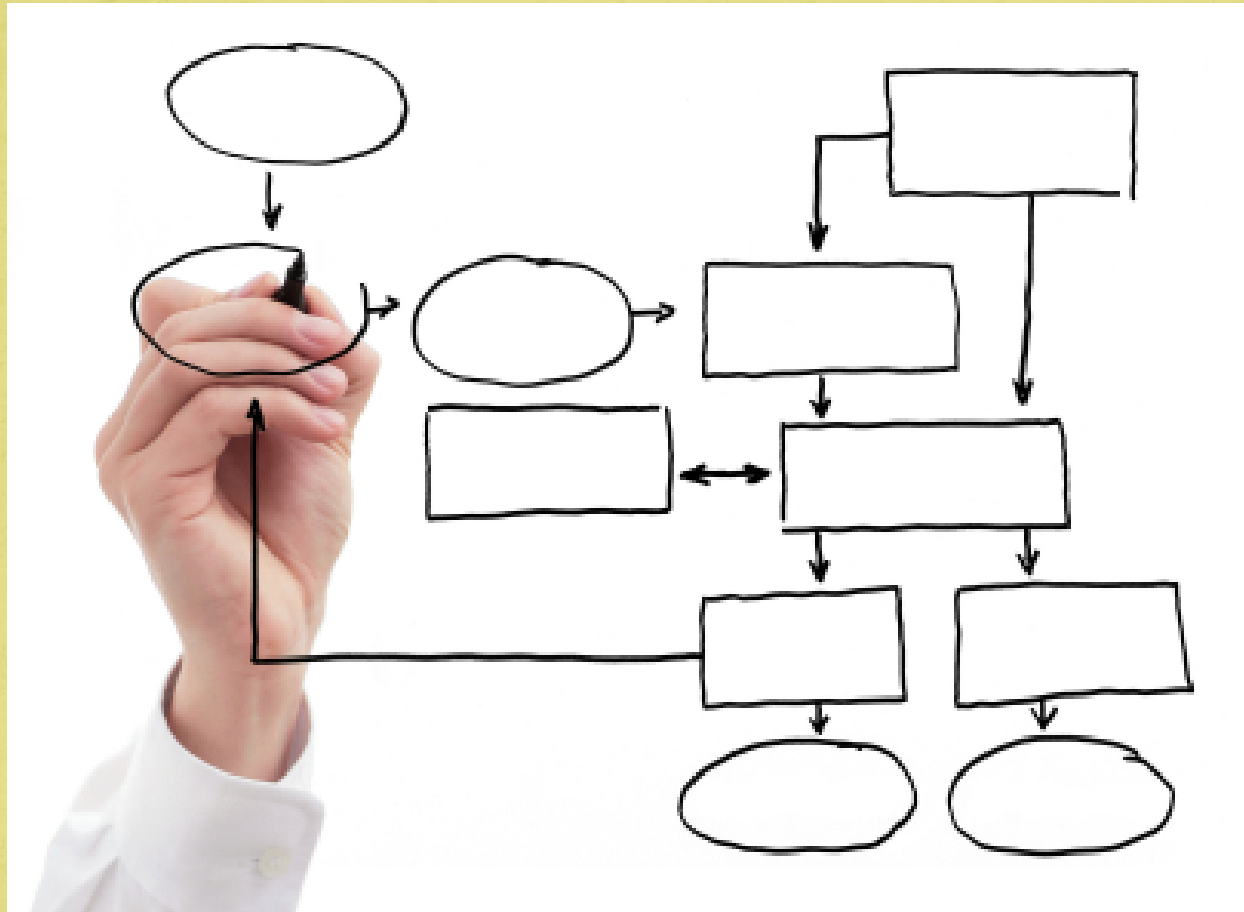
Rules of Professional Conduct

- Unauthorized practice of law (MR 5.5)
- Communication with person represented by counsel (MR 4.2)
- Candor to the tribunal (MR 3.3)

Agency Policies/Misc.

- Procurement Integrity Act
- Computer Use Policy
- Anti-lobbying Act
- Supplemental Ethics Regulations

The Process



The Process

- Advice
- Allegation of wrongdoing
- Referral

The Process

- Investigation
 - Agency
 - OPR
 - OIG
- Discipline

Cases



Cases

- Gifts
 - *Sher v. Department of Veterans Affairs* (D. Me.)
- Public Office for Private Gain
 - *Phillips v. Department of Transportation* (MSPB)
- Misuse of Position
 - *Voorhis v. Department of Homeland Security* (MSPB)
 - *Wilson v. Department of Homeland Security* (MSPB)

Cases

- Rules of Professional Conduct
 - *Feld v. Department of Veterans Affairs* (MSPB)
 - *Kent v. Department of Justice* (MSPB)
- Conflicts
 - *Fea v. Department of the Army* (MSPB)

Cases

- Hatch Act
 - *Special Counsel v. Eisinger* (MSPB)
 - *Special Counsel v. Winfield* (MSPB)
 - *Special Counsel v. Mark* (MSPB)
 - *Special Counsel v. Ware* (MSPB)

Don't be afraid to ask for assistance

