August 2010 · Volume 92 · Number 7

**Ethics Matter!** ****

**Take the Ethics Challenge**

*Test your knowledge of all things ethics with this quiz*

**QUESTIONS**

1. In the past 10 years, what was the most common ethical violation committed by an ICMA member?
2. Conflict of interest
3. Taking improper gifts
4. Engaging in political activity
5. Embezzlement
6. As a manager works with elected officials and residents in shaping the future of her community, her personal convictions are driving her to actively engage in debates about climate change, off-shore drilling, mountaintop mining, and energy efficiency. The manager thinks the future looks bleak without radical change and feels that sitting on the sidelines is unethical. That said, she believes this is such a polarizing topic that getting involved will certainly get her slapped with a party label. The most ethical thing to do is:
7. Stay silent and don’t advocate for a position because this is a political issue.
8. Advocate for the policy only if your elected officials agree with your position.
9. Advocate for the policies that you regard as right whether your elected officials agree or not.
10. Stay silent, but get your staff members who don’t belong to ICMA to advocate for your position.
11. As a result of the economic downturn, the prices of some really attractive properties in your community have decreased considerably. The new prices coupled with cheap mortgage rates make these attractive investment opportunities. Since none of your other investments are doing well, you and your spouse are kicking around the idea of buying a few of these properties. You can rent them, sell when the market starts to rebound, or even hold onto one of the beachfront condos for your retirement. This manager should:

1. Reject this idea because the ICMA Code of Ethics prohibits owning any property within the community that you manage other than your home
2. Go ahead and buy the properties. Since they are already developed, there is no conflict of interest for the manager
3. Go find attractive investment opportunities in another local government
4. None of the above
5. Under the rules used by ICMA to enforce the Code of Ethics, complaints will only be considered for review if:
6. The matter has been investigated first by the state association
7. The complainant is willing to go on record and be identified
8. The member consents to the review
9. None of the above

**ANSWERS**

1. **C.** Running for elected office while working for a local government; signing petitions; making campaign contributions at the local, state, or national level; and endorsing candidates were all violations of Tenet 7 committed by members. About a quarter of all violations involve political activity. Members working in local government should limit their activity on behalf of candidates to voting for the candidate of their choice.
2. **C.** The ICMA Code of Ethics defines “prohibited political activity” as providing any support for a candidate for any elected public office. The code does not prevent or prohibit members from taking a position on an issue or from actively advocating on behalf of an issue. It is a distinction that is frequently misunderstood.

ICMA members may make a financial contribution to an issues-oriented organization, serve on the board or as a member of such, and publicly state their opinions on issues via the range of communication options available. It’s not engaging in “political activity” to advocate for an issue even if the issue is hotly debated at the state and national levels.

Your personal advocacy efforts should be on your own time and without leveraging your title or position with the city. Stay clear of any activities sponsored by a candidate for elected office even if that candidate shares your perspective on the issue. These events tend to be candidate rallies in disguise, and attending could create the appearance of an endorsement.

Consider how your advocacy role may relate to your job. Does the governing body share your point of view? Would being known as an ardent supporter of an issue make it difficult for you to do your job? It is not a reason to cease your advocacy, but it is something to contemplate.

1. **C.** The Code does not specifically state that it’s a violation to own any property within your community other than your home. The guideline on investments advises that members should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with their official duties.

For managers who have oversight of all local government functions and the opportunity to influence decisions, owning rental properties or other real estate within the community they manage creates a host of serious potential conflicts. While it might appear to be a public good to invest in your own community, purchases and sales that might be interpreted as speculation for a nice profit can create the opposite impression.

To merit the trust of those we serve, it is recommended that members refrain from business investments in real estate within their communities.

1. **D.** The review process will be initiated when a complaint is filed in writing with ICMA and contains sufficient documentation to support the allegation. The first step in the process is to answer this simple question: If all of the allegations made were proven to be true, is the conduct described a violation of the code?

If the answer is yes, the case is opened and the member is contacted to provide a personal perspective on the matter. If a member declines to participate in the review process, the ICMA Committee on Professional Conduct will convene a fact-finding committee at the state level to obtain any available information on the case.

Fact-finding committees are also used when the member’s response does not provide all the necessary information. ICMA retains jurisdiction over any case filed against a member, so resigning from the association will not end the review process.

Finally, the process does not require that a complainant go on record. While this may be distressing to a member whose conduct is under review, the issue is not the source of the complaint but whether the member’s conduct met the high standards of the profession.

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