



MONTGOMERY COUNTY ETHICS COMMISSION

Advisory Opinion 26-03-008

March 30, 2026

Pursuant to Montgomery County Code Section 19A-12(a), public employees are not permitted to engage in any other employment unless the employment is approved by the Ethics Commission.

In September 2025, the Montgomery County Office of the Inspector General (“OIG”) published an investigative report related to allegations of a County employee using County work hours for outside employment activities. During the investigation, the OIG determined that the employee did not have proper approval from the Ethics Commission to engage in the outside employment activity in accordance with Sec. 19A-12(a).

As a result of the investigation and its findings, the County terminated the employee and sought reimbursement from the employee of \$13,069.84 in salary that the employee was paid while actively engaged in outside employment during County work hours. While the Inspector General referred the matter to the Ethics Commission for their awareness, the Commission determined that no further action beyond the termination and recoupment of funds was warranted at that time.

Recently, the Commission received a request from the department to make an official determination based on the OIG report. The Inspector General conducted an extensive investigation into the matter and provided a full and unredacted report to the Ethics Commission in September, and Commission staff reviewed the Outside Employment Online System to verify that the employee did not have Ethics Commission approval to work in the specific outside employment capacity discussed in the OIG report. Therefore, based on all available findings, the Commission has determined that the employee in question violated Mont. Co. Code Sec. 19A-12(a) by engaging in other compensated employment separate from the employee’s county job without approval from the Montgomery County Ethics Commission.

For the Commission:

A handwritten signature in black ink that reads "Elizabeth Kellar".

Elizabeth Kellar, Chair