



MONTGOMERY COUNTY ETHICS COMMISSION

November 14, 2024

Waiver 24-11-012

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Ingris Gutierrez-Gallo is a Community Services Aide III (CSA III) at the Children, Youth and Family Services (CYFS) Division at Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as an Evening Relief Counselor at the City of Gaithersburg Wells Robertson House, an entity that contracts with DHHS.

As a CSA III with the Child Welfare Services program at DHHS, Ms. Gutierrez-Gallo assists Child Welfare social workers providing interpretation and other supportive services. She provides in-person and remote support services for families such as interpretation, parent education, transportation, advocacy, information and referral, assistance. She coordinates services for families from other local human service agencies and community groups. And she prepares monthly statistical and narrative reports.

In her proposed role as an Evening Relief Counselor at the City of Gaithersburg Wells Robertson House, she supervise visits between children and parents. Ms. Gutierrez-Gallo also transports children for the visits. She transports children to school, doctor's appointments and court if needed. She assists in translating for families that need it. And Ms. Gutierrez-Gallo works closely with the social workers assigned to the cases.

Ms. Gutierrez-Gallo would have no contract monitoring, procurement, or execution responsibilities in her role with the City of Gaithersburg Wells Robertson House, and she has no contract monitoring responsibilities in her official capacity with DHHS either.

The City of Gaithersburg Wells Robertson House contracts with DHHS but Ms. Gutierrez-Gallo's role as an Evening Relief Counselor at Wells Robertson House is not funded by any County contracts with the City of Gaithersburg. Additionally, Ms. Gutierrez-Gallo has committed to recusing herself from any crossover clientele and passing the case to a colleague in the event should such case present itself.

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850

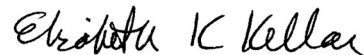
OFFICE: 240.777.6670 FAX: 240.777.6672

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Ms. Gutierrez-Gallo not making referrals as a County employee to the City of Gaithersburg Wells Robertson House.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission. In reaching this decision, the Commission has relied upon the facts as presented by Ms. Gutierrez-Gallo.

For the Commission:



Elizabeth Kellar, Chair