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**Ethics**

## Encores, Fans, and Futures

## Last year’s intriguing questions can also help in 2010

During the past year, ICMA members posed some unusual but interesting ethical scenarios. Be mindful of these examples as you head into the new year.

**Q.** I retired from the city management profession with a clear plan to start my own local government consulting business. Because I never expected to be a city manager again, I made some small campaign contributions to candidates who were running for the state legislature. I’ve now been offered an interim city manager position and wonder what I should do about those campaign contributions.

**A.** Rarely are we clairvoyant about the future. When the best of intentions meets unforeseen circumstances, we can unwittingly land in ethical jeopardy. All members who work in local government, whether as interim or permanent employees, should adhere to political neutrality. Don’t make contributions, endorse, or otherwise engage in activity for any candidate running for any elected office.

Now that your encore career plans have taken another course, it’s important going forward to refrain from any political activity. To be completely aboveboard, you could request a refund of your contribution. Also, let your new employer know about the situation so that no one is blindsided if the contributions are disclosed.

**Q.** I have an active presence on Facebook and am “friends” with our city attorney. Now he is getting savvy about social media and asked that I be a “fan” of his law firm. Is this okay?

**A.** The guideline on endorsements advises members to not endorse commercial products or services by agreeing to the use of a photograph, endorsement, or quotation in paid or other commercial advertisements. The “fan” feature in Facebook is a form of advertising and marketing when used by companies.

**Q.** One of the brightest members of council, whose service and work with the city manager inspired her to get her MPA, was just offered her first town manager position. She plans to resign her council seat because she understands that it is incompatible to continue serving on council and be a town manager. But the timing of her resignation from council is an issue because her vote is needed to ensure that a critical policy matter gets approved.

She asked the city manager for advice on whether it would be acceptable to announce her resignation now with an effective date some 90 days in the future so that she can be present for the vote. What advice should the city manager offer?

**A.** A city manager committed to the profession’s ethical standards would be acting disingenuously if he put aside what is right just to achieve the outcome he desires. The ends don’t justify the means. He should advise the councilmember to resign before she begins work as the town manager.

**Q.** I will be retiring soon as city manager. The city hired an executive recruiter, and I have had no involvement in the recruitment of my successor. When the list of the three finalists was made public, a colleague called to warn me that one of the finalists had prior ethical issues and had been censured by ICMA. He was a bit short on the details but recommended that I follow up on the matter. Do I have an ethical obligation to raise this issue, or should I just assume that the executive recruiter has done a thorough background on this individual?

**A.** ICMA’s ethics process is a confidential matter unless it results in a public censure. If there is any information in the background check that hints at serious ethical issues, recruiters are encouraged to delve further and to contact ICMA to determine whether a public censure had been issued. Absent a public censure, the recruiter should ask the member whether the ethical issues identified were ever reported to ICMA and, if so, to produce confirmation of the outcome.

Many individuals who have been privately or publicly censured pay more attention to their ethical conduct and go on to serve the profession with distinction. As important as knowing whether a violation has occurred is knowing whether someone is forthcoming and truthful about it when asked.