

Resolution No.:	<u>20-151</u>
Introduced:	<u>May 2, 2023</u>
Adopted:	<u>May 9, 2023</u>

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Executive Regulation 3-23, Amendment to the Montgomery County Personnel Regulations – Reports to the Inspector General Process

Background

1. Under Method (2), the Council may approve or disapprove a proposed regulation within 60 days after receiving it.
2. On March 28, 2023, the County Council received Executive Regulation 3-23, Amendment to the Montgomery County Personnel Regulations – Reports to the Inspector General Process.
3. Executive Regulation 3-23 would amend Section 3 of the Montgomery County Personnel Regulations to clarify the processes related to reporting information to the Inspector General.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Council approves Executive Regulation 3-23, Amendment to the Montgomery County Personnel Regulations – Reports to the Inspector General Process.

This is a correct copy of Council action.



Judy Rupp, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Reports to Inspector General Process Amendments

Number: 3-23

Originating Department:
Office of Human Resources

Effective Date:
May 9, 2023

Montgomery County Regulation on:

REPORTS TO INSPECTOR GENERAL PROCESS AMENDMENTS

Issued by: County Executive

Regulation No. 3-23

COMCOR 33.07.01

Supersedes: Executive Regulation 26-07AM, in part

Authority: Montgomery County Code, Section 33-7(b)

Council Method (2) Under Code Section 2A-15

Register Volume 40, Issue 2

Comment Deadline: March 2, 2023

Effective Date: May 9, 2023

SUMMARY: This regulation amends Section 3 of the Montgomery County Personnel Regulations to clarify the authority of the Inspector General (IG) related to certain violations and protections for employees who provide information or cooperate with the IG.

ADDRESS: Director, Office of Human Resources
Executive Office Building
101 Monroe Street, 7th Floor
Rockville, MD 20850

STAFF Additional information and copies of the regulation are available from:

CONTACT: Samuel Frushour, Special Assistant to the Director, 240-777-5012.



MONTGOMERY COUNTY EXECUTIVE REGULATION

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Subject: Reports to Inspector General Process Amendments

Number: 3-23

Originating Department:
Office of Human Resources

Effective Date:

COMCOR 33.07.01.03 Ethics, Disclosure of Illegal or Improper Acts, Employment of Relatives, Discrimination on the Basis of Political Affiliation, Outside Employment, and Sexual or Romantic Relationships in the Workplace

* * *

3-2. Disclosure of illegal or improper acts in County government.

- (a) An employee should report an illegal or improper act in County government.
- (b) An employee should report an illegal or improper act to the individual responsible for investigating the act or taking corrective action, such as:
 - (1) the employee's immediate supervisor or higher level supervisor;
 - (2) the employee's department director;
 - (3) the CAO or County Executive for executive branch employees;
 - (4) the County Council for legislative branch employees;
 - (5) the Inspector General, in matters of fraud, waste, or abuse; or
- (c) (1) The Office of the Inspector General (OIG) [has a Fraud Hotline operated 24 hours per day and 7 days per week by an independent contractor that provides employees and vendors with] operates a Hotline that provides a confidential way to report illegal or improper activities. The Hotline can be reached through the OIG's website, <https://www.montgomerycountymd.gov/oig/>, via email at ig@montgomerycountymd.gov and by phone at (240) 777-7644. The OIG website has complaint forms in English and Spanish. The OIG can also process complaints received via email in any language supported by the County's Certified Bilingual Employees and Volunteer Center Language Bank resources.
- [(2) The Hotline can receive complaints in more than 150 languages and is accessible by telephone or email.



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- (3) The OIG is interested in receiving information about:
- (A) theft of County funds or property;
 - (B) abuse in government activities;
 - (C) contract or procurement fraud;
 - (D) Worker's Compensation fraud;
 - (E) kickbacks or bribery;
 - (F) fraudulent travel or other reimbursement claims;
 - (G) significant waste of County funds; and
 - (H) retaliation against any person for filing a complaint with the OIG.
- (4) Employees should not use the Hotline to deal with the following:
- (A) routine issues between managers and employees;
 - (B) EEO complaints;
 - (C) issues that are covered by the County grievance procedure or a grievance procedure in a collective bargaining agreement;
 - (D) questions or concerns about benefits or compensation; or
 - (E) issues that are the responsibility of other government agencies.]

(2)[(5)] It is unlawful for any person to retaliate against, penalize, or threaten with retaliation or penalty, an employee for providing information to, cooperating with, or in any way assisting the Inspector General or the Office of Legislative Oversight.

(3) Section 2-151(m) of the Montgomery County Code designates the following as Class A violations with regard to cooperating with the OIG:



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- (A) withholding or refusing to respond to a valid request for documents or information;
- (B) giving false or misleading information in connection with any audit, study, or investigation; and
- (C) retaliating or threatening or retaliating against any person for filing a complaint with the Inspector General, furnishing information, or cooperating in any audit, study or investigation.

Approved:

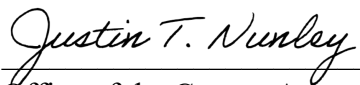


Marc Elrich, County Executive

3/28/2023

Date

Approved as to form and legality:



Office of the County Attorney

12/29/2022

Date



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 - (4) the County Council for legislative branch employees;
 - (5) the Inspector General, in matters of fraud, waste, or abuse; or
- (c)
 - (1) The Office of the Inspector General (OIG) operates a Hotline that provides a confidential way to report illegal or improper activities. The Hotline can be reached through the OIG's website, <https://www.montgomerycountymd.gov/oig/>, via email at ig@montgomerycountymd.gov and by phone at (240) 777-7644. The OIG website has complaint forms in English and Spanish. The OIG can also process complaints received via email in any language supported by the County's Certified Bilingual Employees and Volunteer Center Language Bank resources.
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- (3) Section 2-151(m) of the Montgomery County Code designates the following as Class A violations with regard to cooperating with the OIG:
- (A) withholding or refusing to respond to a valid request for documents or information;
 - (B) giving false or misleading information in connection with any audit, study, or investigation; and
 - (C) retaliating or threatening or retaliating against any person for filing a complaint with the Inspector General, furnishing information, or cooperating in any audit, study or investigation.

Approved:

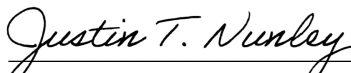


Marc Elrich, County Executive

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