



Community and Workplace Culture Committee

# Ethics Education: Misuse of Position or Authority

Item 6a

August 18, 2025

## Item 6a

### Subject

Overview of Metropolitan's "Misuse of Position or Authority" rule.

### Purpose

To briefly review with the Committee Metropolitan's "Misuse of Position or Authority" rule (Administrative Code Section 7121).

## Item 6a

### Background

- Metropolitan is a government agency.
- Metropolitan officials are government officials/public servants.
- Metropolitan officials are granted governmental authority.
- How we use this governmental authority matters.
- This is a common rule and law in government.

# Misuse of Position or Authority

The rule states that:

*Metropolitan officials shall not misuse their governmental position or authority to obtain, or attempt to obtain, a private benefit, or advantage for themselves or any other individual or entity, or a disadvantage for any other individual or entity.*

# Misuse vs Proper Uses of Position or Authority

The rule prohibits misuses of position or authority that are intentional in nature or carried out with reckless disregard for policies, laws, processes, practices, or other standards.

Benefits arising from “misuses” are distinguishable from personal benefits that naturally arise from proper uses of authority or position:

- Example (Proper Use): Where a manager promotes an employee through the proper promotions process, the manager is not misusing their position or authority, even though the employee gets a raise.
- Example (Improper Use): Where a manager subverts the district’s promotion process and promotes an unqualified candidate because they are friends, the manager misused their position and authority.

# Consequences of Misuse of Authority

The consequences of government officials misusing their position or authority can include, but are not limited to:

- Disciplinary action
- Loss of public trust
- Diminished workplace morale
- Litigation risks
- Harm to the integrity of district processes
- Reputational harm for Metropolitan
- Some misuses of position or authority can also amount to crimes, resulting in prosecution

## Item 6a

### Hypothetical

A Metropolitan official asks staff members to perform personal errands for them, using Metropolitan vehicles.

Q: Is the official misusing their authority or position?

A: Yes, the official is misusing their position and authority. Moreover, by using Metropolitan vehicles for personal errands, the staff members are misusing their position as well.

## Item 6a

### Recent Case #1

A Los Angeles City employee admitted to falsifying timesheet records indicating that they worked regular and overtime hours when they did not.

Q: Did the employee misuse their government position or authority?

A: Yes. The City Ethics Commission, through a similar local law, determined that the employee misused their position and fined them as a result.



## Item 6a

### Other Local Cases

- A City official misused their position to create a personal benefit when they coerced an auto dealership into giving a discount on service to their personal vehicle because they had approved City permits for that dealership. Fine: \$7,500.
- A City official misused their position by providing software licenses at City expense to themselves and a family member and misappropriating City computer equipment for personal use. Fine: \$5,000.
- A City official misused their position by pressuring an organization to purchase their personal business's promotional products in exchange for a better relationship with their City department. Fine: \$5,000.

# Key Takeaways

Officials should:

- Be mindful of laws and Metropolitan policies governing the appropriate conduct of public officials.
- Carry out official duties observing Metropolitan policies, rules, and procedures, applicable laws, and other standards.
- Ensure that official actions are carried out in the public's best interest, not in the interest of themselves, another person, or an entity.
- Remember the obligations of public service and avoid using government positions and authority for self-dealing or personal or political purposes.



# Questions?

