

# ETHICS CENTRAL

*Office Of Internal Audit and Ethics*



To Promote Ethical Awareness, the Office Of Internal Audit & Ethics sends out a Quarterly Newsletter  
In this edition, we highlight What is Ethically Right vs. What is Legally Right.

## UNDERSTANDING WHAT IS ETHICALLY RIGHT VS. WHAT IS LEGALLY RIGHT

### Law & Ethics

The relationship between laws and ethics is not always clear.

Although we may have a legal right to do something, does not necessarily mean it is ethically justified, conversely, you might have an ethical responsibility to do something even though it's not legally required.

In most cases it's clear: Ethics demands more than the law.

#### What is a Legal Right?

A Legal right is defined as those rights which are recognized, protected and restricted by a particular statutory law.

More objective

Not a responsibility, but a deterrent

Everyone must follow what is legal

Punishment for violation of laws

#### What is Ethical Responsibility?

Ethical responsibility is the ability to recognize, interpret and act upon multiple principles and values according to the standards within a given field and/or context.

More subjective

Is a social responsibility

Something unethical for someone may be ethical for others

Ethical Standards must be developed to define consequences



# ASK AN ETHIC'S OFFICER

## HAVE YOU EVER WONDERED WHAT TO DO WHEN OFFERED AN INVITATION OR GIFT?

The Code of Ethics prohibits Tribal Officials from soliciting or accepting anything of value that could have a substantial and improper influence on the performance of duties.



The rules of procedure provide guidance on gift giving and receiving. Nominal or inexpensive gifts such as a coffee mug, tin of popcorn, or a t-shirt are not considered substantial. These types of minor gifts are not prohibited, although you may still choose to decline them to avoid even the appearance of impropriety.

## WINTER REMINDERS

Due January 15

➔ Q1 Gift Reports



## ETHICS IN THE NEWS

### STILL IN SHADOW OF WANDA GREENE CORRUPTION, BUNCOMBE PASSES NEW CONFLICT OF INTEREST POLICY

ASHEVILLE - With memories of the scandal that rocked Buncombe County still fresh, elected officials have passed a new conflict of interest policy to further limit nepotism and emphasize restrictions against gift taking.

While he voted for the policy, Board Chair Brownie Newman called for even stronger rules against hiring relatives or friends based on relationships rather than qualifications, referencing Greene and her son, Michael Greene, the county business intelligence manager who was also convicted after pleading guilty to conspiracy to defraud the government.

Wanda Greene was sentenced in 2019 to seven years in federal prison after pleading guilty to two counts of federal program fraud, one count of making and subscribing a federal tax return and one count of receipt of kickbacks and bribes.

In terms of gifts, the new policy says no employee will accept any meal, service, loan, thing of value or other such gift or a promise from a person or vendor that "in the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the county."

Workers may also not accept a gift or favor that might influence them in how they carry out their duties or give any "improper" favor or service in carrying out their duties.

As for nepotism, county rules had said commissioners must approve the hiring of a relative of the county manager's immediate family.

*Asheville Citizens Times*

## ETHICS SPOTLIGHT WHAT IS AN ADVISORY OPINION?

**Advisory opinions** are official responses to questions regarding the application of C.C §117-45 to specific existing or hypothetical factual situations.

**All requests for an advisory opinions must be in writing and contain the following information:**

1. Name, address, and telephone number of the requesting party.
2. Office of appointment held.
3. Basis of the request for the advisory opinion. This shall include a written scenario with all relevant information for which ethical guidance is sought.



Brownie Newman -Board Chairman Buncombe County



*Ethics Questions?*

 (828) 359-7030

 (800)-455-9014

 [www.ebci-oia.com](http://www.ebci-oia.com)