

# Presentation for City Council Ethics and Governance Committee



## Office of Inspector General

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City of Houston Legal Department, Office of Inspector General

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# Roadmap



- 1. OIG Foundation (EO 1-39)**
- 2. OIG By the Numbers**
- 3. Highest Percentage Of Complaints:  
Discrimination/Retaliation/Related Violations of Law**
- 4. Fraud/Waste/ Abuse**
- 5. Within FWA: Houston City Code 14-183 and 18-3**
- 6. Within FWA: Conflicts (AP 2-22)**
- 7. Within FWA: Gifts (EO 1-28)**
- 8. Within FWA: Nepotism (MP 104)**
- 9. Referral from Ethics Committee**
- 10. Election Season**

# OIG FOUNDATION



## **Executive Order 1-39**

### **“Establishment of Office of Inspector General for the Investigation of Employee Misconduct”**

**Misconduct means an act or failure to act that violates:**

- (a) the City Charter, the City’s Code of Ordinances (“Code of Ordinances”), an Executive Order, a Mayor’s Policy, an Administrative Procedure, or a Department/Division Policy; or**
- (b) a state or federal law that regulates the City and that relates to a duty or obligation owed to the City by a City employee, elected or appointed official, vendor, contractor, or component unit.**

# What does the OIG investigate?

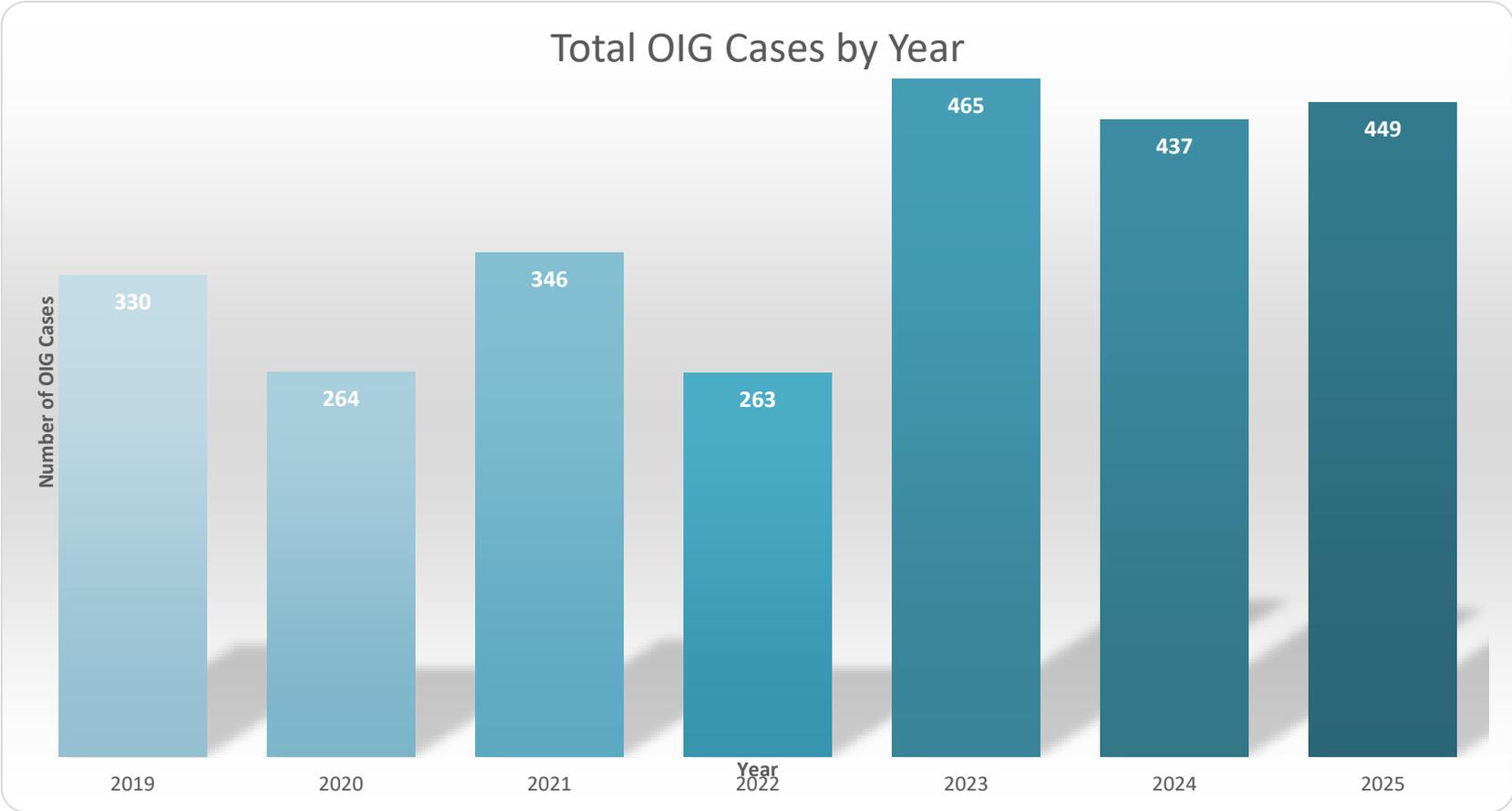


- **Discrimination**
- **Retaliation**
- **Texas Whistleblower Act Complaints**
- **Fraud, Waste, Abuse**
- **Violations of Federal, State and Local Laws**
- **Referrals from the Ethics Committee**
- **Workplace Violence**
- **Wage Theft in City Contracts & Subcontracts**



# OIG BY THE NUMBERS

# The number of complaints OIG receives/closes has risen steadily through the years.



# OIG by the Numbers



In Calendar Year 2025,  
OIG closed 449 cases

# Of Those 449 Cases



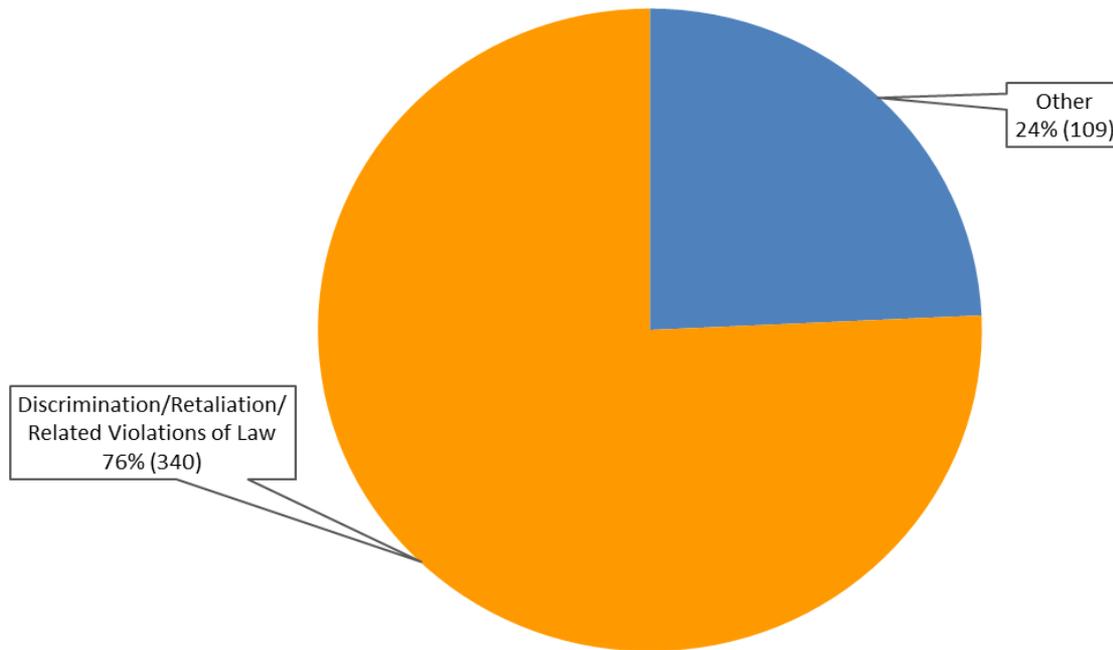
**About 75% of OIG's  
2025 Complaints alleged  
Discrimination/Retaliation/  
Violation of Related Laws**

Note: Single Complaint Can Contain Multiple Allegation Categories

# Discrimination/Retaliation/ Violation of Related Law



Discrimination/Retaliation/Related Violations of Law vs. Other



# Title VII of the Civil Rights Act of 1964, Texas Commission on Human Rights Act, and Executive Order 1-50: Workplace Discrimination and Harassment



		<b>CITY OF HOUSTON</b> Executive Order
Subject: <b>Workplace Discrimination and Harassment</b>		E.O. No: <b>1-50</b> Effective Date: <b>April 6, 2012</b>
<p><b>1. AUTHORITY</b></p> <p>1.1 Article VI, Section 7a, City Charter of the City of Houston.</p> <p><b>2. PURPOSES</b></p> <p>2.1 To define workplace discrimination and harassment and other prohibited conduct;</p> <p>2.2 To provide a fair and non-discriminatory work environment for all employees; and</p> <p>2.3 To address reporting and investigation of workplace discrimination and harassment.</p> <p><b>3. OBJECTIVE</b></p> <p>3.1 To provide a workplace free from discrimination, harassment, and retaliation for reporting discrimination or harassment.</p> <p>3.2 To identify and prohibit inappropriate or offensive slurs, connotations, words, objects or symbols.</p> <p>3.3 To establish a procedure for reporting and addressing allegations of workplace discrimination and harassment.</p> <p><b>4. SCOPE</b></p> <p>4.1 This policy governs employee conduct in all City workplaces and vehicles, during business travel, and in any other location where City business is conducted, regardless of whether the property is owned or leased by the City, or whether interacting with City employees or non-employees.</p> <p>4.2 This policy applies to all employees regardless of civil service status, classification, pay grade, length of employment, or full-time or part-time status.</p> <p>4.3 This policy applies to employee conduct regardless of whether it occurs during working hours, during a lunch break, or during an off-duty, work-related social or recreational activity.</p> <p>4.4 This policy applies to every level of municipal government, including employment, contracting, vending, and/or access to City facilities, programs, services, and activities.</p>		
Approved: 	Date Approved: <b>04/06/2012</b>	Page 1 of 6

# Discrimination/Protected Characteristic



***Protected characteristic*** – means an individual’s sex, race, color, ethnicity, national origin, age, familial status, marital status, military status, religion, disability, sexual orientation, genetic information, gender identity, pregnancy, or any other legally protected characteristic.

# Of the 449 Cases



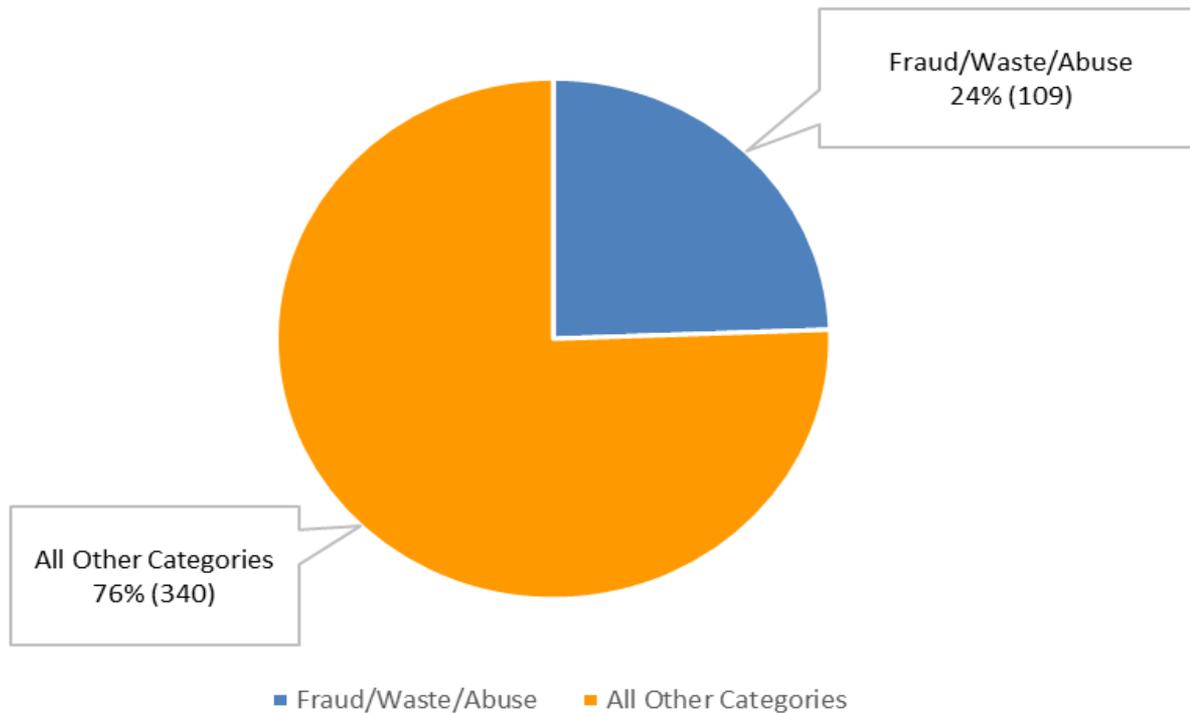
**About 25%**  
**of OIG's 2025 Complaints**  
**Alleged Fraud/Waste/Abuse**

Note: Single Complaint Can Contain Multiple Allegation Categories

# Of the 449 Cases



Fraud/Waste/Abuse Cases vs. All Other Cases



# OIG by the Numbers



**Fraud/Waste/Abuse Complaints  
include Referrals from Federal  
and State Agencies**

# How does a complaint get to OIG?



**Employee  
Complaint**

**Resident  
Complaint**

**Mayor  
Referral**

**Director  
Referral**

**City Attorney  
Referral**

**Civil Service  
Commission  
Appeals**

**Federal and  
State  
Agencies**

# How does OIG get Complaints



**How do Individuals file an OIG Complaint?**

***Online Complaint Portal***

# OIG Online Complaint Portal



## LEGAL DEPARTMENT

Office of Inspector General

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The City of Houston's Office of Inspector General (OIG) investigates certain allegations of employee misconduct. OIG also investigates concerns about possible workplace violence. Further, OIG investigates allegations of wage theft by City contractors and subcontractors. Within OIG is the [Office of Police Reform and Accountability \(OPRA\)](#).

[CLICK HERE TO FILE AN OIG COMPLAINT ONLINE](#)

### PHYSICAL ADDRESS

Office of Inspector General

900 Bagby, 4th Floor

Houston, Texas 77002

OIG Hotline: (832) 394-5100

Administration: (832) 393-6509

### MAILING ADDRESS

Office of Inspector General

Post Office Box 368

Houston, Texas 77001-0368

# Online Complaint Form



- **Complaints accepted  
24/7/365**
- **Instant receipt with  
complaint number  
emailed to complainant  
upon successful  
submission.**



## City of Houston Office of Inspector General

To file a complaint with the City's Office of Inspector General (OIG), please complete the form below. You should receive an email confirmation when your complaint is received. Once an attorney/investigator has been assigned to your complaint, they will contact you using the contact information provided on your complaint form.

NOTE: If you are filing a complaint against a classified member of the Houston Fire Department (HFD), in addition to completing this complaint form, you will also need to submit a notarized statement stating the nature of your complaint in accordance with Texas Local Government Code, Chapter 143. This notarized statement must be submitted to OIG *no later than 5 business days* after the complaint form is submitted. Instructions for submitting the notarized statement will be included in your confirmation email.

NOTE: The "respondent" is the person you are complaining about.

General ▾

Do you wish to file a complaint against a City of Houston Employee? (required) ⓘ

- Yes
- No

# Who does OIG not Investigate?



- **Businesses unrelated to City contracts**
- **Classified Police Officers**
- **Civilians Employed by the Houston Police Department**



# Fraud/Waste/Abuse Prohibitions



**Employee Standards of Conduct (Code 14-183)**



**City Official Standards of Conduct (Code 18-3)**



**Conflicts of Interest (AP 2-22)**



**Unauthorized Employment (AP 3-21)**



**Mayor's Policy on Gifts (EO 1-28)**



**Mayor's Policy Hiring Relatives (MP 104)**

# City Code, Chapter 14-183

## Employee Standards of Conduct



### Employees shall not:

Accept or solicit money or gifts (also E.O. 1-28)

Take other work that may impair independent judgment for City (also A.P. 3-10)

Take extra jobs without written permission (also A.P. 3-10)

Have private interest conflicting with public trust

Disclose confidential matters

Attempt to use City position for special privilege for self or others

# City Code, Chapter 14-183 (cont'd)



**Negotiate future employment with employer doing City business, if conflict**

**Represent anyone against the City**

**Fail to disclose personal interest**

**Violate departmental rules**

# City Code, Chapter 18-3

## City Official Standards of Conduct



### City Officials Shall Not:

Engage in  
business/professional  
activity conflicting with  
official duties

Invest in a way that  
creates conflict

Disclose confidential  
matters

Use City position for  
private gain or  
advantage of self or  
others

# City Code, Chapter 18-3

## City Official Standards of Conduct



### City Officials Shall Not:

Use or attempt to use on-duty City employees for private gain or advantage to self or others

Negotiate for or accept future employment with employer which has substantial interest in City decision, where official must act or make recommendation on decision

Represent a non-City entity before a body where the official is a member

# City Code, Chapter 18-3 (cont'd)

## City Official Standards of Conduct



### City Officials Shall Not:

Use position to discriminate

Interfere in criminal or administrative investigation

Solicit or accept benefit from contractor during contract award period or during period official knows contractor is interested in any contract of any value

Use or attempt to use position to exercise administrative powers over a City department as described in the Charter

# City Code, Chapter 18-3 (cont'd)

## City Official Standards of Conduct



### City Officials Shall Not:

Use or attempt to use the official's position to influence a contractor or grantee to utilize the goods or services of any person for the benefit of the official or others

Represent a private person or interest before a City agency

Represent a private person or interest against the City

Represent a private person or interest in the City's municipal courts in a matter instituted by the City



# CONFLICT OF INTEREST

# Conflict of Interest, AP 2-22



**Administrative Policy (AP) 2-22, titled “Conflict of Interest,” lists “the primary sources of various ethical, standards of conduct, and conflicts of interest provisions applicable to Elected City Officials and employees.”**

**AP 2-22 defines “Apparent conflict or like terms (e.g. appearance of a conflict)” to mean: “when the circumstances are such that a reasonable person with knowledge of the relevant facts would question the impartiality of the City employee or Elected City Official’s conduct, participation in a program, or receipt of a benefit.**

**Depending on the facts, circumstances and applicable law, an apparent conflict may include, for example: the offer, acceptance, or receipt of event tickets, meals, or giveaways to an employee-affiliated or Elected City Official-affiliated organization; or any other situation in which financial or other personal considerations or interests may appear to compromise or bias professional judgment or objectivity.**

# Conflict of Interest AP 2-22 (cont'd)



## Sources of Conflicts Rules Include:

- (1) Texas state law includes Local Government Code, Chapters 171 (Public Servants and substantial interest in a business entity or real property), and 176 (Disclosure of Relationships with Local Government Officers). Chapter 36 of the Penal Code is the Bribery and Corruption statute.
- (2) Section 18-1 sets out how Elected City Officials shall act and conduct themselves, both inside and outside the City's service, so as to give no occasion for distrust of their integrity, credibility, or devotion to the best interests of the City and the public trust that it holds.
- (3) In addition to City Code 14-183 and 18-3 on standards of conduct described earlier, Rule 6 of the Council Rules establishes the rules of conduct for City Council members.
- (4) Chapter 18 of the City Code covers "Ethics and Financial Disclosure."
- (5) Section 18-88 "Revolving Door," also prohibits certain actions by former city officials

# Conflict of Interest AP 2-22 (cont'd)



- (6)** The City considers whether the outside employment will place the employee in a conflict of interest with the City, and an employee's failure to obtain authorization can be telling. Sections 14-173 and 14-222 establish parameters for outside employment for City employees, as does AP 3-10.
- (7)** Section 18-2 prohibits contractors from making certain contributions to a candidate to avoid the appearance of conflicts.
- (8)** Section 15-1(a) --it is against the public policy of the city for any employee of the city to bid on or to be awarded any contract being let by the city or to be pecuniarily interested, directly or indirectly, in any contract let by the city, or in any work done by the city, or in any matter wherein the rights or liabilities of the city are or may be involved."
- (9)** City Code Section 15-55, Conflicts of interest, authorizes the Chief Procurement Officer anyone involved in procurement is required to disclose any conflict or appearance of conflict before participating in a procurement process.
- (10)** Gifts

# Conflict of Interest AP 2-22 (cont'd)



## **Federal Programs Have Their Own Conflicts Rules (Federal Awards Procurement Conflict of Interest Standard)**

- (11) No City employee, Elected City Official, or agent of the City may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. (2. C.F.R. § 200.318(c)(1))**
  
- (12) “...A conflict of interest would arise when the employee, officer, or agent, any member of his or her Immediate Family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.”  
(2 C.F.R. § 200.318(c)(1))**

# Conflict of Interest AP 2-22 (cont'd)



- (13)** When an actual or apparent conflict of interest arises, the Department Director or Elected City Official must identify, disclose, and manage the conflict of interest in compliance with applicable laws, rules, regulations, City Code, and this policy or any departmental policies or procedures consistent with this policy.
  
- (14)** The City employee or Elected City Official with an actual or apparent conflict of interest, shall not proceed with or receive any benefit funded by federal or local dollars or supported by federal dollars unless and until the conflict of interest is determined not to exist by the City Attorney, is mitigated to the satisfaction of the Director responsible for the funds, or is the subject of a waiver/exception approved by the appropriate authority.
  
- (15)** Any compliance investigation, determination, referrals, reports, complaints and all associated materials related to the review of a conflict of interest matter under this policy shall be considered confidential to the extent permitted by law.



# **GIFT POLICY: EXECUTIVE ORDER 1-28**

# Gift Policy EO 1-28



**A City employee shall not directly or indirectly accept a benefit under any circumstances that create the appearance of impropriety or intent to influence City affairs.**

**The word “benefit” includes:**

- (1) any gift of food, goods, services, money, lodging, transportation, or any other thing of value;**
- (2) the extension of a discount, rebate, or other privilege or thing that could reasonably be regarded as economic gain or advantage, whether given directly or indirectly to a City employee.**



# HIRING OF RELATIVES

# Mayor's Policy (M.P.) 104: Hiring of Relatives



**“It is the policy of the City of Houston to discourage the hiring of relatives of existing employees under circumstances outlined below”**

- **Relatives cannot report to the same immediate supervisor**
- **Relatives cannot supervise one another**
- **City duties should not require employee to interact with relatives**

**A City employee should not be promoted, transferred or hired into any position that would violate this policy.**



# ETHICS COMMISSION

# Ethics Commission, Houston City Code, Art. VII



## ETHICS COMMISSION BOARD

- Position 1: Gregory Ulmer (Vice Chair)—nominated by Houston Bar Association
- Position 2: Traci Latson—nominated by AFL-CIO
- Position 3: Donald R. Collins, Jr.—nominated by Harris County Medical Society
- Position 4: Alfonso Maldonado—nominated by City Council members
- Position 5: Marsha G. Fisk—nominated by City Council members
- Position 6: Julia Marinucci—nominated by City Council members
- Position 7: David M. Goldberg (Chair)—nominated by City Council members

The City of Houston Ethics Commission does not have a prescribed meeting cadence; rather, it retains the flexibility to convene as needed and respond promptly to matters within its jurisdiction.

# Ethics Commission, Houston City Code, Art. VII



**The seven-member board has the duty and power to review allegations of impropriety by City officials**

- **Board members may not be City officials or employees or lobbyist, or certain other related categories**
- **Upon a sworn, written complaint, or its own initiative, the commission may review alleged acts of impropriety on the part of City officials**
- **Upon the commission's request, OIG shall provide necessary assistance with the investigation of complaints**
- **Investigations shall be conducted in a confidential matter**
- **Records of such investigations shall be confidential to the extent permitted by law**

# Ethics Commission (continued)

## Houston City Code, Art. VII



- **If the commission finds reasonable cause to believe the impropriety occurred, the commission makes a written report and forwards it to the Mayor, City Council, the City Attorney, and any appropriate department agency commission or board.**
- **If the commission does not find reasonable cause, the commission shall notify both the complainant and the City official who is the subject of the complaint person for the benefit of the official or others.**
- **If the commission finds the allegation beyond the scope of an impropriety, the commission shall refer it to OIG or the proper federal, state or local authority, or coordinate its review to avoid prejudicing the investigation/prosecution. The commission shall suspend and coordinate immediately, if the matter becomes one “beyond an impropriety” during the process.**

# Ethics Commission (continued)

## Houston City Code, Art. VII



- **If the commission concludes there has been a violation of 18-3(a)(8), i.e., that a City official has used his/her position to harass or discriminate, the commission has the power to:**
  - (a) issue a public rebuke or reprimand; or**
  - (b) recommend that the City official be removed and relieved of all duties related to same.**
- **Upon receipt of a written request, the commission may also issue written advisory opinions in regard to a specified factual situation, whether existing or hypothetical.**
- **If a majority of the commission determines that a written advisory opinion would be in the public interest or in the interest of a covered person, it may do so on its own initiative so long as it does not use the name of any person who may be affected by the opinion.**

# Election Season Reminders

## Incumbents and New Candidates



### Special Reminders During Election Season

**Don't engage in business or professional activities that might conflict with the discharge of your official duties.**

**(COH Code of Ordinances, § 18-3, 14-183)**

**Don't use city employees to perform acts or services on campaign business, unless it is voluntary and the employee is acting during off-duty hours.**

**(COH Code of Ordinances, § 18-3, 14-183)**

**Don't accept contributions in city owned or operated buildings**

**(COH Code of Ordinances, § 18-32)**

**City employees cannot solicit contributions for any candidate (including themselves), or participate in election or campaign activities, unless they are doing so during off-duty hours or on duly approved leave**

**(COH Code of Ordinances, § 18-33(c), AP 3-35)**

# Election Season Reminders

## Incumbents and New Candidates



**Section 255.003 of the Texas Election Code prohibits an officer or employee of a public subdivision to knowingly spend or authorize the spending of public funds for political advertising.**

**The use of public funds includes use of City time, resources, and facilities. *See Op. Tex. Ethics Comm'n No. 443 (2002).***



**QUESTIONS?**