



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE DIRECTIVE

No. 2019-3

To: State Department Directors and Autonomous Agency Heads
From: Governor Gretchen Whitmer
Date: January 3, 2019
Re: Standards of Ethical Conduct for State Employees

This directive establishes the basic policy of the executive branch of Michigan state government for standards of ethical conduct for department directors, appointees of the Governor, and employees within the executive branch. Michigan residents deserve the utmost confidence in the integrity of state government. State government must be open, transparent, and accountable to Michigan taxpayers. To assure public confidence, leaders in state government must set an ethical example.


Acting pursuant to Article 5, §§ 1 and 8 of the Michigan Constitution of 1963, I therefore direct the following:

1. Department directors, employees of the executive branch of Michigan state government not within the classified service, and appointees of the Governor to positions within the executive branch shall adhere to the following principles of ethical conduct:
 - (a) place loyalty to and compliance with the Constitution and the laws of the United States and the State of Michigan, and the highest ethical principles above private gain;
 - (b) give a full day's labor for a full day's pay, producing quality work and utilizing efficient and economical ways of accomplishing tasks;
 - (c) protect, conserve, and judiciously use governmental personnel resources, property, and funds in accordance with prescribed constitutional, statutory, and regulatory procedures;
 - (d) disclose governmental waste, fraud, and abuse to appropriate authorities;
 - (e) not represent a personal opinion as the opinion of the Governor, the Office of the Governor, a state department or agency, or any other governmental entity;

- (f) not use for personal gain or benefit any confidential information acquired as a result of their position in state government or as a result of the performance of their governmental duties;
 - (g) not divulge to an unauthorized person, in advance of the time prescribed for its authorized release to the public, confidential information acquired as a result of their position within state government or as a result of their performance of governmental duties;
 - (h) not dispense special favors or privileges to anyone that reasonably may be construed as influencing the performance of their governmental duties;
 - (i) not engage in direct or indirect business transactions, including real estate transactions, that result in or may result in profit, personal gain, or benefit of a person or organization other than the State of Michigan, or that are inconsistent with the honest performance of their governmental duties;
 - (j) not accept or solicit a gift or loan of money, goods, services or other thing of value for the benefit of a person or organization, other than the State of Michigan, which tends to influence the performance of their governmental duties; and
 - (k) not engage in outside employment or activities conflicting with their official governmental duties.
2. An employee in the executive branch of Michigan state government shall report any alleged violation of these standards of ethical conduct to their department director or agency head. If the alleged violation involves the department director or agency head, the employee shall instead report the violation to the next ranking person in the department or agency.
 3. Except as otherwise provided in paragraph 4, department directors and the heads of autonomous agencies are responsible for the preliminary examination and investigation of reports of a violation of these standards of ethical conduct.
 4. If an alleged violation involves a department director or the head of an autonomous agency, the department director or agency head shall recuse himself or herself from the matter and the next ranking person in the department or agency shall conduct the preliminary examination or investigation.
 5. If a preliminary examination and investigation finds evidence of a violation or finds that further investigation is warranted, a report must be submitted to the Governor's Chief Compliance Officer who will then notify the Governor.
 6. If a violation of state or federal law is suspected, the violation must be reported immediately to the Governor's Chief Compliance Officer and the Governor's Legal Counsel for referral to the appropriate legal authority.

7. Violations of these standards of ethical conduct must be reported objectively and promptly to eliminate any attempt to thwart discovery or obscure or discolor facts.
8. Care must be taken to avoid maligning the character of anyone who may be involved solely due to unsubstantiated allegations or rumors.
9. A state officer shall exercise discretion and judgment when conducting preliminary examinations and investigations, with the knowledge that accurate reporting of alleged violations of the standards of ethical conduct is important.
10. State officials are reminded of their continuing obligation to comply with rules of the Michigan Civil Service Commission and state laws relating to governmental integrity, ethics, conflicts of interest, and political activity, including all of the following:
 - (a) 1978 PA 472, as amended, MCL 4.411 to 4.431 (relating to lobbyists, lobbying agents, and lobbying activities);
 - (b) 1978 PA 566, as amended, MCL 15.181 to 15.185 (relating to incompatible public offices);
 - (c) 1968 PA 318, as amended, MCL 15.301 to 15.310 (relating to conflicts of interest);
 - (d) 1968 PA 317, as amended, MCL 15.321 to 15.330 (relating to contracts of public servants with public entities);
 - (e) 1973 PA 196, as amended, MCL 15.341 to 15.348, (relating to standards of conduct for public officers and employees);
 - (f) 1976 PA 169, as amended, MCL 15.401 to 15.407 (relating to political activities by public employees); and
 - (g) the Michigan Campaign Finance Act, as amended, 1976 PA 388, MCL 169.201 to 169.282.
11. Department directors and autonomous agency heads shall familiarize employees and appointees with this directive and with departmental or agency policies, procedures, and work rules implementing this directive and for enforcing compliance within the scope of their authority.

Your cooperation in complying with this directive is appreciated.


Gretchen Whitmer
Governor