Excused absences to attend ANC Activities.

This is in response to your memorandum, dated August 21, 1976, requesting an interpretation of paragraph 14(j)(3) of Section 12B of the District Personnel Manual (DPM), and whether this provision authorizes "excused absences" of District employees, who are ANC Commissioners, to attend ANC activities.

The provisions of paragraph 14(j) of Section 12B, DPM, respecting excused absences, require a fairly clear connection to the employee's official duties. I am not persuaded that it can be clearly discerned when a District employee, who also is an ANC Commissioner, would, in attending an ANC meeting, be engaged in matters which pertain to the discharge of his official duties, as distinguished from those that he assumes as an ANC Commissioner. Moreover, when an employee participates in an ANC meeting relating to that employee's official duties, it appears most likely that such occasions would portend a suggestion of a conflict of interest.

The provisions of subparagraph (3) of paragraph 14(j) relate to "programs or other meetings or functions that are officially sponsored by the District Government or any of its departments for the education or other benefits of employees." I do not understand why it may be said that attendance by a District employee at an ANC meeting as an ANC Commissioner can be said to be for the "benefit of that employee" qua employee; rather it appears that such attendance is to be attributed solely to that individual's position as an ANC Commissioner.

Accordingly, I am constrained to advise you that there is no authority which permits the "excused absences" of District employees, who also have been elected ANC Commissioners, to attend ANC meetings.

JRR, Jr.