

Wed 8/25/2021 12:00 PM
To: (City employee)
Case # 21028.C

Dear _____,

Thank you for taking the time to contact us at the Board of Ethics. This email serves as a summary of our phone conversation from earlier today, as well as an admonition.

You are the _____ at the _____ and are part-owner of _____ firm. You informed us that your firm began work on a project before you started employment with the City, and that project is wholly unrelated to your work at _____ and would not require any action by _____. You said that your firm applied for a permit on its client's behalf from the City's Department _____ regarding this project after you started employment with the City. You informed us that, per State law, the permit requires that the name of the _____, which is you, be on the permit. You said that you did not think this would be a conflict with your work at _____, as no action by _____ was required.

By this email, we remind you that § 2-156-090(a) of the City's Governmental Ethics Ordinance states:

Representation of other persons.

No elected official or employee may represent, or derive any income or compensation from the representation of, any person other than the city in any formal or informal proceeding or transaction before any city agency in which the agency's action or non-action is of a nonministerial nature...

The Board considers the permit that you applied for as a "transaction" of a "nonministerial" nature with the Department of _____, and has long held that "representation" of another includes submitting documents to *any* City department for review on another's behalf. Therefore, your name cannot be on this or any other permit applications or other paperwork on behalf of your firm's clients that would be submitted to the Department _____, or to other City departments. [We note here that, as we explained to you this morning, there is no prohibition on you and/or your firm taking on such work or representation outside the City of Chicago, or with the City's "sister agencies," like the Chicago Public Schools, Park District, or Housing Authority, provided that no City department is involved in reviewing any paperwork or applications with your name on them.] You informed us that it would not be possible to rectify this in this situation, as the permit has already been applied for. We advised you that, on a going-forward basis, your name cannot be on any further permits applied for from the City regarding your firm. Your firm's name or someone else from your firm may have their name on the permit. Also, we advised you that, per the Ordinance section stated above, you yourself cannot receive any income from this current project. Your firm or others in your firm may receive income from this project.

For your information, we are including a link to a Guide for Secondary Employment that our agency has published. [https://www.chicago.gov/content/dam/city/depts/ethics/general/Publications/Outside Employment.pdf](https://www.chicago.gov/content/dam/city/depts/ethics/general/Publications/Outside%20Employment.pdf)

[A PLAIN ENGLISH ETHICS GUIDE FOR CITY PERSONNEL CONCERNING SECOND JOBS - Chicago](#)

A PLAIN ENGLISH ETHICS GUIDE FOR CITY PERSONNEL CONCERNING SECOND JOBS The Governmental Ethics Ordinance does not prohibit City employees and officials from

www.chicago.gov

It is Board's staff conclusion that this constitutes a minor violation of the Government Ethics Ordinance pursuant to §2-156-070(b). This conclusion remains confidential. Therefore, we are issuing you this admonition. Please note, however, that any further violations of this nature will not be considered minor.

Our office appreciates the opportunity to advise you, and your conscientiousness in seeking our advice. If you have further questions about this or any other matter, please contact us.

Steve

Steven I. Berlin
Executive Director