

NEW

January 15, 1990



City of Chicago
Richard M. Daley, Mayor

Board of Ethics

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Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

[REDACTED]

out emp
(for a Kor)

Re: Case No. 89156.Q
Dual Employment

CONFIDENTIAL

Dear [REDACTED]

The Board of Ethics is in receipt of your query concerning the outside employment of INDIVIDUAL A an employee of DEPARTMENT X

[REDACTED] INDIVIDUAL A has requested approval to do part-time clerical work for CORP. M [REDACTED] CORP. M is a City contractor which receives 5% of the City's AREA N business, this representing 50% of the company's total business.

In your letter of December 8, 1989, you state that according to her supervisor, INDIVIDUAL B INDIVIDUAL A performs clerical duties for DEPT. X and does not have access to any confidential information that could benefit CORP. M

ANALYSIS: The outside employment activities of City employees are restricted by several sections of the Ethics Ordinance, principal among them Sections 26.2-5, 26.2-7 and 26.2-9. Following is an analysis of INDIVIDUAL A's proposed employment under those sections:

(1) Section 26.2-5 states:

No official or employee...shall solicit or accept any money or other thing of value...in return for advice or assistance on matters concerning the operation or business of the City; provided, however, that nothing in this section shall prevent an official or employee...from accepting compensation for services wholly unrelated to the official's or employee's City duties and responsibilities and rendered as part of his or her non-City employment, occupation or profession.



This section of the Ordinance allows City employees to work outside of their City jobs unless the work includes assisting other persons on some matter concerning City business (e.g. efforts to obtain a City contract) and the services rendered are related to the employee's City duties. Therefore, so long as [REDACTED] INDIVIDUAL A's employment does not involve rendering any such assistance, this provision of the Ethics Ordinance will not be violated.

(2) Section 26.2-7 of the Ethics Ordinance prohibits any employee from using or disclosing confidential information gained in the course of her employment. Under this section, employees engaging in outside work must be careful to avoid revealing significant information they may have acquired during the course of their City job. In your letter, you state that [REDACTED] INDIVIDUAL A's position in DEPT. X does not give her access to any confidential information relevant to [REDACTED] CORP. M's business with the City.

(3) Finally, Section 26.2-9 of the Ordinance prohibits City employees from representing or having an economic interest in the representation of persons other than the City, in transactions with or proceedings before City agencies. Again, so long as [REDACTED] INDIVIDUAL A does not advocate [REDACTED] CORP. M's interests in DEPARTMENT X [REDACTED] this provision will not be violated by her outside employment by [REDACTED] CORP. M.

CONCLUSION: So long as [REDACTED] INDIVIDUAL A complies with the restrictions of Ordinance Sections 26.2-5, 26.2-7 and 26.2-9, her proposed outside employment with [REDACTED] CORP. M will not be prohibited by the Ethics Ordinance. Should you have any further questions, please feel free to contact the Board of Ethics at 744-9660.

Sincerely,
Johnnie B. De Wilde
Johnnie B. DeWilde
Acting Executive Director