



FMS

Advisory Opinion
Case No. 97030.CNS, Employment of Relatives

[REDACTED]

Date: [REDACTED]

To: [REDACTED]

City of Chicago
Richard M. Daley, Mayor

Board of Ethics

Dorothy J. Eng
Executive Director

Darryl L. DePriest
Chair

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In a Memorandum dated [REDACTED] you informed the Board about an internal investigation of two management-level employees, Employee A and Employee B.

You provided a copy of the report of your investigation, and asked the Board to recommend appropriate disciplinary action, after reviewing your findings.

Based on a review of the findings you have presented, the Board, without independent investigation, agrees with your conclusion that Employee A violated the Governmental Ethics Ordinance, specifically, § 2-156-130(b), which prohibits an employee from exercising contract management authority where the employee's relative is employed by persons doing City work over which the employee has contract management authority.

Given the conclusion that a violation of the Ethics Ordinance has occurred, the Board agrees with you that sanctions should be imposed. However, the Board will not recommend what specific disciplinary action is appropriate in these circumstances, as that depends on numerous considerations particular to your department, as well as on the record of the employee. Therefore the Board recommends that you determine the appropriate sanctions.

As staff informed you, the Board's review of your report is limited to matters you presented relating to possible violations of the Governmental Ethics Ordinance. The Board does not have authority to render decisions on personnel rules or other rules. Your conclusions on Employee B note the seriousness of his failure to be familiar with the Ethics rules. However, your findings do not indicate a violation of any provision of the Ethics Ordinance. The Board therefore can offer no review with respect to Employee B.

Please be advised that, under Board Rules and Regulations, Rule 3-10(1), the identity of a person requesting



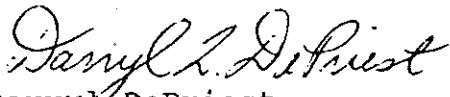
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an advisory opinion under the Ethics Ordinance, and the identity of any person whose conduct is involved in the set of circumstances described in the request are confidential in accordance with § 2-156-380(1) of the Ordinance. However, any of these persons may waive confidentiality by filing written notice with the Board.

We appreciate your bringing this matter to our attention and your concern to abide by the standards embodied in the Ethics Ordinance. If you have further questions on this matter, please contact Ellen Sewell, Legal Counsel.



Darryl DePriest
Chair

es/97030.AO

NOTICE OF RECONSIDERATION AND RELIANCE

Reconsideration: This advisory opinion is based on the facts outlined in this opinion. If there are additional material facts or circumstances that were not available to the Board when it considered this case, you may request reconsideration of the opinion. A request for reconsideration must (1) be submitted in writing, (2) explain the material facts or circumstances that are the basis of the request, and (3) be received by the Board of Ethics within fifteen days of the date of this opinion.

Reliance: This advisory opinion may be relied upon by (1) any person involved in the specific transaction or activity with respect to which this opinion is rendered and (2) any person involved in any specific transaction or activity that is indistinguishable in all its material aspects from the transaction or activity with respect to which the opinion is rendered.