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**Advisory Opinion
Case No. 96041.E
Statements of Financial Interests**

City of Chicago
Richard M. Daley, Mayor

To: [REDACTED]
Mayor's Office of Employment
and Training

Board of Ethics
Dorothy J. Eng
Executive Director

Date: November 25, 1996

Angela L. Eames
Vice Chair

Re: Chicago Workforce Board

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On July 15, you asked for a written Advisory Opinion on whether members of the Chicago Workforce Board must file Statements of Financial Interests with the Board of Ethics. We reviewed the materials you sent us relating to the Workforce Board, including its prospectus and by-laws, and the relevant state and federal laws and regulations. The Board has concluded that the Chicago Workforce Board is not a "City agency" as this term is understood for purposes of the Governmental Ethics Ordinance, and that the Ordinance therefore does not require its members to file. Our determination and the reasoning supporting it are set forth below.

FACTS: The Chicago Workforce Board was established in November 1995 as a private-sector led board to exercise policy and oversight authority for all publicly funded workforce training and development programs in Chicago. According to its prospectus, the Workforce Board replaces the Private Industry Council ("PIC") and some other workforce-related boards. Members of the PIC were not required to file Statements of Financial Interests with the Board of Ethics, because it was determined that the PIC was not a City agency. Case No. 87083.E.

You said the Workforce Board fulfills the same federal and state requirements as the PIC. Like the Private Industry Council, the Workforce Board is financed primarily through federal and state funds. It was created by authority of the State of Illinois, in fulfillment of requirements formerly met by the PIC under the federal Job Training Partnership Act (29 U.S.C. 1501 et. seq.). Like the PIC, its members are appointed directly by the Mayor, and are not subject to confirmation by the City Council.



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LAW AND DETERMINATION: Section 2-156-150(a) of the Governmental Ethics Ordinance requires each "appointed official" to file a Statement of Financial Interests, "except a member of an agency that is solely advisory in nature and has no authority to make binding decisions...." An appointed official is defined as "any appointed, non-employee member of any City agency." § 2-156-010(q).

As noted above, the Workforce Board replaces the Private Industry Council. Members of the PIC were not required to file, because the Board concluded the PIC was not a "City agency." This conclusion was reached on the grounds that "the PIC is primarily funded through state and federal sources, that it is not created by City ordinance and that its appointed members are not subject to confirmation by the Chicago City Council." Case No. 87083.E.

With respect to these conditions, we find no difference between the Chicago Workforce Board and the Private Industry Council that it replaces. We therefore determine that the Chicago Workforce Board is not a City agency for purposes of the City's Ethics Ordinance, and thus that its members are not required by § 2-156-150(a) to file Statements of Financial Interests with this office.

Our determination in this case is based on the application of the Ethics Ordinance to the facts stated in this opinion. If the facts presented are incorrect or incomplete, please notify the Board immediately, as any change in the facts may alter our opinion.

RELIANCE: This 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.


Darryl L. DePriest
Acting Vice Chair