



A PLAIN ENGLISH ETHICS GUIDE FOR CITY PERSONNEL CONCERNING SECOND JOBS

The Governmental Ethics Ordinance does not prohibit City employees and officials from having outside employment. Many in fact do work second jobs. However, the Ordinance (Chapter 2-156 of the City's Municipal Code) and the City's Personnel Rules impose restrictions on City personnel who have outside employment, or "side hustles." These restrictions apply both while they're working their outside jobs, and while they're working their City positions. This guide summarizes these restrictions.

This is only an overview intended to help City personnel develop a basic understanding of their ethical responsibilities regarding secondary employment. To the extent this guide differs from the Ordinance, the Ordinance controls. For authoritative guidance about outside employment, we encourage City employees and officials to seek advice from their departmental ethics officer, or confidential advice from us at the Board of Ethics.

ADVANCE DEPARTMENT APPROVAL NEEDED

City Personnel Rule XX provides that City employees **may not engage in a profession, business, trade, investment, occupation or other activity that results in a conflict of interest** with their City employment.

It also requires them to **obtain written**

permission from their Department Head (or City Council member, if they're a City Council employee) to engage in secondary employment or outside business activities.

NOTE: departments or City Council offices may adopt stricter rules. For example, non-clerical employees of the Mayor's Office and Department Heads are prohibited by a City Personnel Rule from having outside employment. Employees should check with their departmental ethics officer first. Here's a list of ethics officers for departments and wards: <https://www.chicago.gov/city/en/depts/ethics/p/rovdrs/ethicsofficers.html>



CONFLICTS OF INTEREST/ IMPROPER INFLUENCE

City personnel **may not make**, participate in, or try to **use their City position to influence any City governmental decision** or action on any matter from which they have **derived any income or compensation in the previous year, or expect to derive any income or compensation in the next year, or have an ownership interest that is more than \$1,000 in a calendar year**, or in which they have a financial interest distinguishable from that of the general public.

Note: The Board has interpreted this to mean that City personnel may not make or try to influence any City actions or decisions that directly benefit or involve their outside employer.

GIVING ADVICE OR ASSISTANCE ON CITY BUSINESS

City employees and officials may not solicit or receive **anything of value (like income, compensation, gifts, tips, favors, or promises of future work) in return for giving advice or assistance on matters concerning City business**, unless the advice or assistance is **wholly unrelated** to their City responsibilities. Put another way: City personnel may not receive anything of value from a third party to do what the City already pays them to do.



USE OR DISCLOSURE OF CONFIDENTIAL INFORMATION IS PROHIBITED

City employees and officials may not use or reveal confidential or non-public information they've gained in the course of or by reason of their City position.

REPRESENTING THIRD PARTIES BEFORE OR AGAINST THE CITY IS PROHIBITED

City employees or elected officials may not **represent*** their outside employer or business (or *any* person other than the City, unless their City job requires it) in any formal or informal matter, proceeding or transaction before *any* City agency or department (not just their own).

***Represent** involves a wide range of activities, including: (1) making personal appearances before City agencies on behalf of others; (2) making telephone, email, text, or face-to-face contact with other City employees and officials on behalf of others; (3) signing or submitting proposals, contracts or other documents to City agencies; and (4) acting as a spokesperson for others, or seeking to communicate and promote the interests of one party to another.

City employees may not represent their outside employer in any judicial or quasi-judicial proceeding before any agency or court, if the

City is a party and the employer's interest is adverse to the City, or the matter may result in an adverse effect on City revenue, City finances, or the health, safety, welfare or relative tax burden of any City residents.



LOBBYING IS PROHIBITED

City employees and officials may not lobby (as defined in the City's Governmental Ethics Ordinance or the Illinois Lobbyist Registration Act, 25 ILCS 170 et seq.) on behalf of any person other than the City, before the City, State of Illinois, Cook County, or any other unit of local government within Illinois, although attorneys may practice law before any other governmental entity, and elected officials may represent their constituents or the City before any governmental entity in Illinois.

USE OF CITY PROPERTY IS PROHIBITED

City personnel **may not use** or permit the use of **City-owned property for an unauthorized purpose**, including their outside, non-City employment. They may not use their City title or City-owned equipment or property for this purpose, like computers, smart phones or photocopy machines, or engage in their outside job while on compensated time or on or in City property.

STATEMENTS OF FINANCIAL INTERESTS

Elected officials, certain appointed officials, and City employees with managerial responsibilities must file Statements of Financial Interests annually with the Board of Ethics, where they disclose information about their outside jobs. Statements filed in the past seven (7) years are posted on the Board's website for public inspection. To view them, see:

<https://webapps1.chicago.gov/efis/search>

RESTRICTIONS ON GIFTS

City personnel are not prohibited from receiving gifts offered in the regular course of their outside, non-City business or employment, as long as those gifts are offered to others in similar circumstances. Otherwise, gifts to City employees and officials are strictly regulated. For more information, please see this guide: <https://www.chicago.gov/content/dam/city/dept/s/ethics/general/Publications/Ethics-EE-Off.doc>



CONTRACTING WITH THE CITY

City employees and elected officials who **own** outside businesses (in whole or in part) are subject to these *additional* restrictions:

They may **not have a “financial interest”** (meaning an ownership interest that is worth more than \$1,000 in a calendar year) in their own name, or in the name of another person (such as the company or firm in which they have an ownership interest) **in any City contract, work, sale or business** (except for participation in certain designated housing assistance programs). This includes ownership in companies or firms that are contractors or subcontractors of the City. For more information, please see this guide: https://www.cityofchicago.org/city/en/depts/ethics/auto_generated/edu_publandreports.html

LOANS FROM LOBBYISTS OR PERSONS DOING OR SEEKING TO DO BUSINESS WITH THE CITY

Neither City employees or officials, nor their spouses or domestic partners, nor any entities in which any of them have a “financial interest,” may solicit, apply for or receive a loan from any lobbyist or person who is doing or seeking to do business with the City, except for market rate loans from financial lending institutions made in the ordinary course of business.



FOR MORE INFORMATION

Please visit our website:
www.chicago.gov/Ethics

For confidential advice, contact:

Chicago Board of Ethics
740 North Sedgwick, Suite 500
Chicago, Illinois 60654

Brandon Johnson, Mayor
William F. Conlon, Chair

Steven I. Berlin, Executive Director
steve.berlin@cityofchicago.org

Twitter/X: @ChicagoEthicsBd

TEL: (312) 744-9660

