

MEH

July 18, 1988

[REDACTED]

Case No. 88107.Q

Dear [REDACTED]

The Board of Ethics has received your request for assistance regarding the interpretation of the post-employment restrictions of the Ethics Ordinance (Chapter 26.2 of the Municipal Code of Chicago). In a telephone conversation with our staff on July 8, 1988, you stated that you planned to leave your present position as a "Contract Administrator" with the Department [REDACTED] in the near future. Since your request contained no concrete employment options or hypotheticals, this letter will be confined to providing you with a general summary of the Ordinance restrictions relevant to your situation.

The most important of the Ethics Ordinance's post-employment restrictions are contained in Section 26.2-10(b). These restrictions apply to contacts between any former employee and the City. Under this section, 1) a City employee may not, for a period of one year after the termination of his employment, assist or represent any person in any business transaction with the City or any of its agencies, if he participated personally and substantially in the subject matter of the transaction during his term of employment; and 2) this ban is permanent with respect to contracts over which the employee exercised contract management authority.

Therefore, Section 26.2-10(b) will permanently prohibit you from assisting or representing any person before the City in any business transaction involving a contract that was under your management authority as a City employee. Secondly, you will be prohibited, for a period of one year from the date of your separation from the City, from assisting or representing any person in business transactions with the City, if those transactions concern subject matters in which you participated personally and substantially while a City employee.

City of Chicago
Gene Sawyer, Acting Mayor

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The Ordinance places additional prohibitions on certain sorts of legal representations before the City which you as an attorney should be aware of. Section 26.2-10(a) states:

No former official or employee shall assist or represent any person other than the City in any judicial or administrative proceeding involving the City if the official or employee participated personally and substantially in the proceeding during his term of office or employment.

Finally, under Section 26.2-7 of the Ordinance, former City employees are prohibited from using or disclosing confidential information gained during the course of their City employment. As a former City employee, you will be subject to this section and should be careful to avoid using or disclosing any information about the operations of the City which is not available to the general public.

We hope that these guidelines will prove useful to you in planning your future course of conduct. Should you have any questions regarding their application to a specific employment situation, please do not hesitate to contact the Board of Ethics for a full analysis.

Sincerely,


Harriet McCullough
Executive Director

Enclosure: Ethics Ordinance

MA/ma: 88107-L