



City of Chicago
Eugene Sawyer, Acting Mayor

January 22, 1988

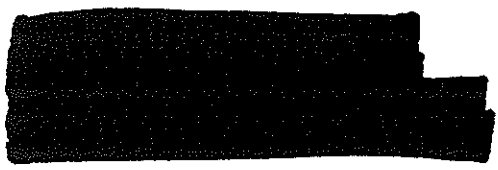
Board of Ethics
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Suite 1320
205 West Randolph Street
Chicago, Illinois 60606
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CONFIDENTIAL

Case Number 87112.A

Dear [Redacted]

The Board of Ethics has received your request for an advisory opinion to determine whether your membership on the State Medical Disciplinary Commission would present a conflict of interest in violation of the provisions of the Ethics Ordinance. After reviewing the facts of your case, the Board has concluded that there are no provisions of the Ethics Ordinance which would prohibit you from becoming a member of the State Medical Disciplinary Commission while you retain your City job.

You have informed the Board of Ethics that you are an employee - [Redacted] for the City Department of [Redacted] and your responsibilities include writing operating procedures for health clinics, tracking and investigating [Redacted] deaths and assisting public health nurses in examining [Redacted] mortality cases. You also informed us that the State Medical Disciplinary Commission is an advisory board that investigates medical malpractice claims and the members of this Commission receive a stipend from the State of Illinois. You stated that as a member of the Medical Disciplinary Commission, you would not be required to represent individuals before City agencies and you would not be involved in transactions with the City.

Generally speaking, personnel and/or departmental rules rather than the Ethics Ordinance govern the issue of outside employment. If, however, personnel and departmental rules permit an employee to seek and obtain outside employment, Section 26.2-5 and Section 26.2-9 of the Ordinance will provide guidance to City employees regarding



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their conduct in secondary jobs. These provisions state that:

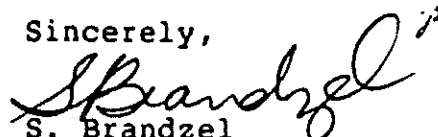
- (1) A City employee must not accept anything of value in return for advice or assistance on matters concerning the operation or business of the City. (Section 26.2-5)
- (2) A City employee may not represent any person other than the City in any formal or informal proceeding before any City agency in which the agency's action is of a non-ministerial nature. (Section 26.2-9(a))

Since service on the Medical Disciplinary Commission will not require you to represent individuals before City agencies you may accept the nomination to serve on this Commission, provided that your Commission work is not carried out on City time and does not interfere with the performance of your City duties. The Board has also concluded that even though you will receive compensation as a member of the Disciplinary Commission, the Ordinance will not prohibit you from accepting this compensation since the work you perform on behalf of the Commission is not in any way related to City business.

Please note however that if the stipend you receive from the State exceeds \$2,500, you must report this income on your "Statement of Financial Interests".

If you have any questions regarding this matter, please contact the Board of Ethics at 744-9660.

Sincerely,


S. Brandzel
Chairman

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