

ETHICS EDUCATION SEMINAR

Cook County Land Bank Board of Directors

ETHICS IN COOK COUNTY GOVERNMENT

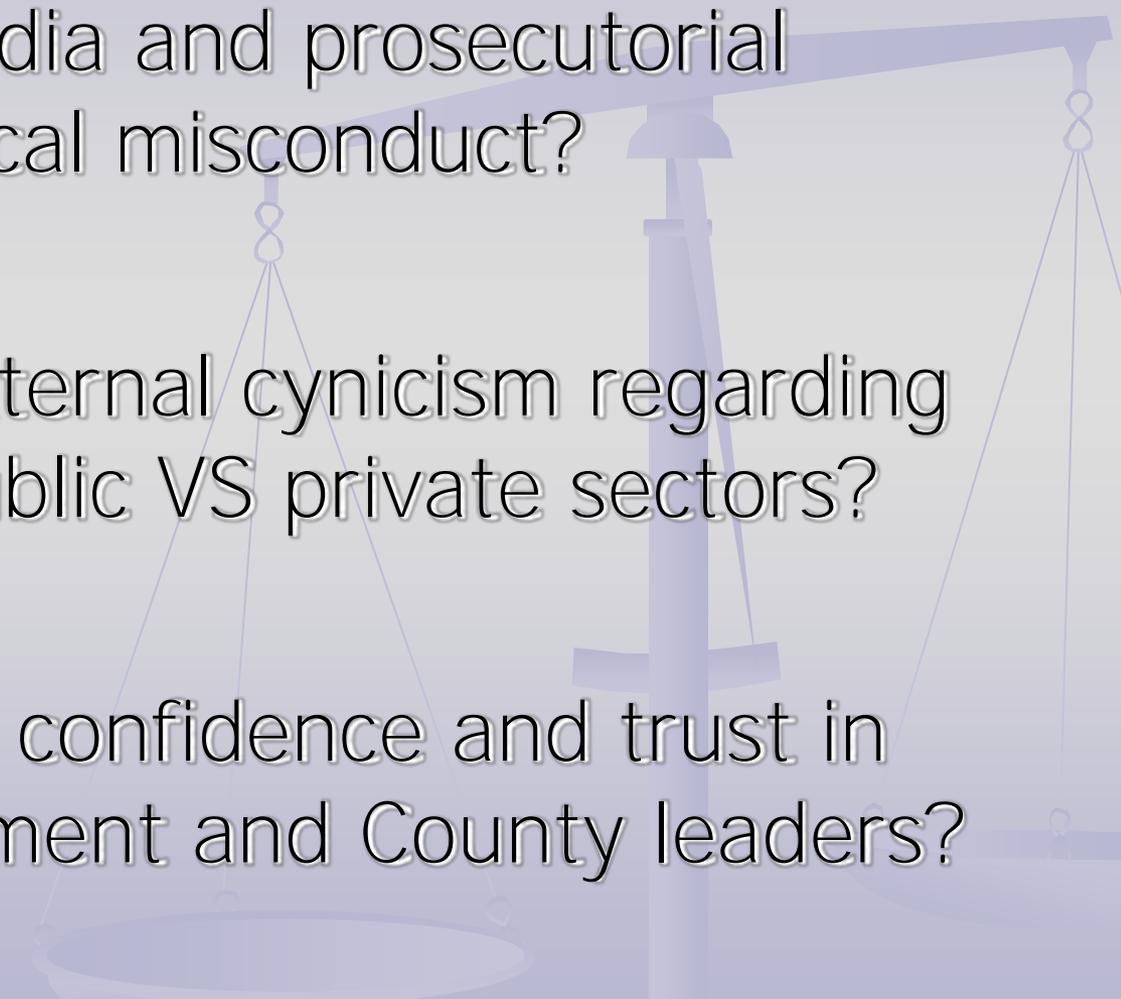
IN THE BALANCE

ETHICS CODE OF CONDUCT: GOLDEN RULE

APPEARANCE OF IMPROPRIETY

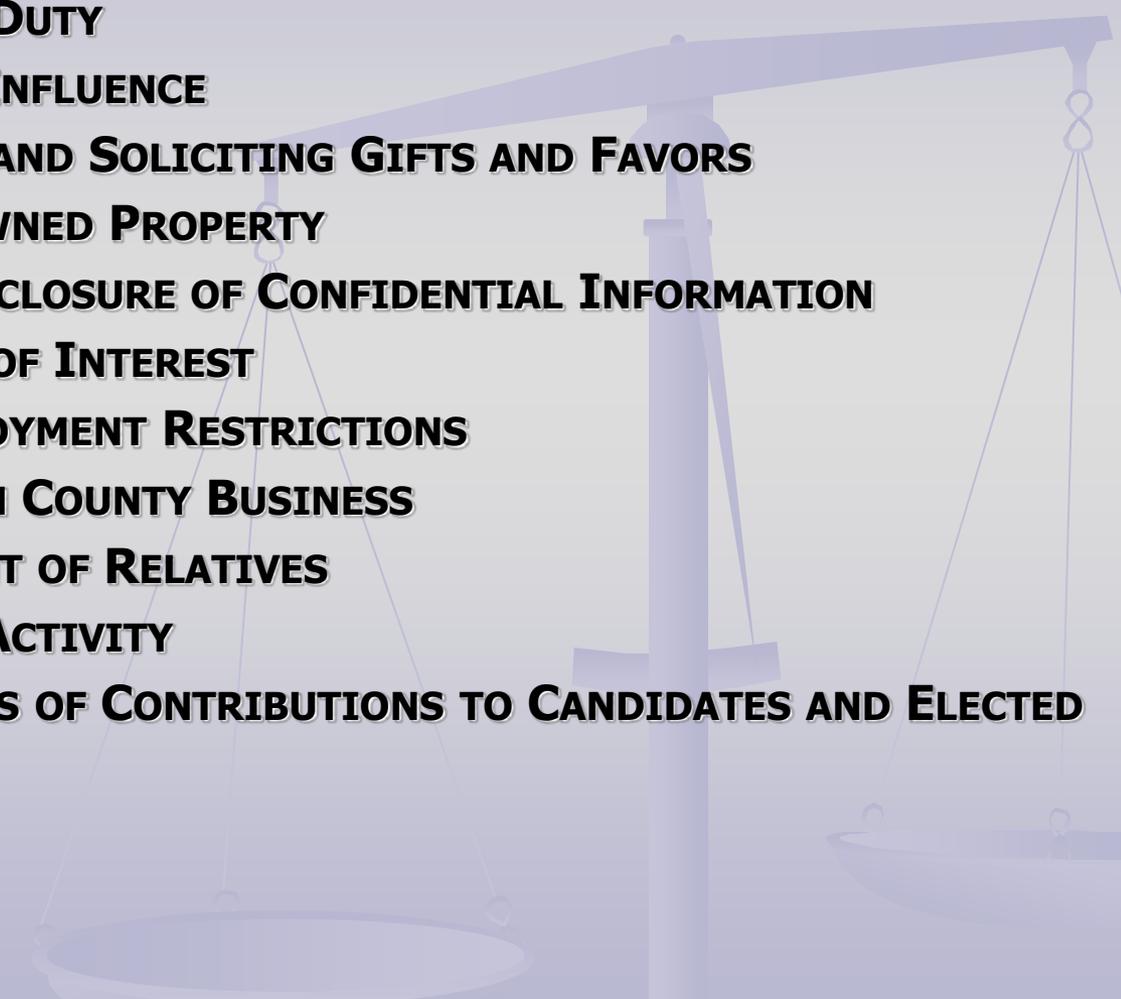
OFFICIALS, AND EMPLOYEES MUST ACT AT ALL TIMES TO AVOID EVEN THE APPEARANCE OF IMPROPRIETY.

WHY ARE WE HERE?



- Heightened media and prosecutorial scrutiny of ethical misconduct?
- Internal and external cynicism regarding ethics in the public VS private sectors?
- Increase public confidence and trust in County government and County leaders?

COOK COUNTY CODE OF ETHICAL CONDUCT



SECTION 2-561 – DEFINITIONS

SECTION 2-571 – FIDUCIARY DUTY

SECTION 2-572 – IMPROPER INFLUENCE

SECTION 2-574 – RECEIVING AND SOLICITING GIFTS AND FAVORS

SECTION 2-576 – COUNTY-OWNED PROPERTY

SECTION 2-577 – USE OR DISCLOSURE OF CONFIDENTIAL INFORMATION

SECTION 2-578 – CONFLICTS OF INTEREST

SECTION 2-580 – POST EMPLOYMENT RESTRICTIONS

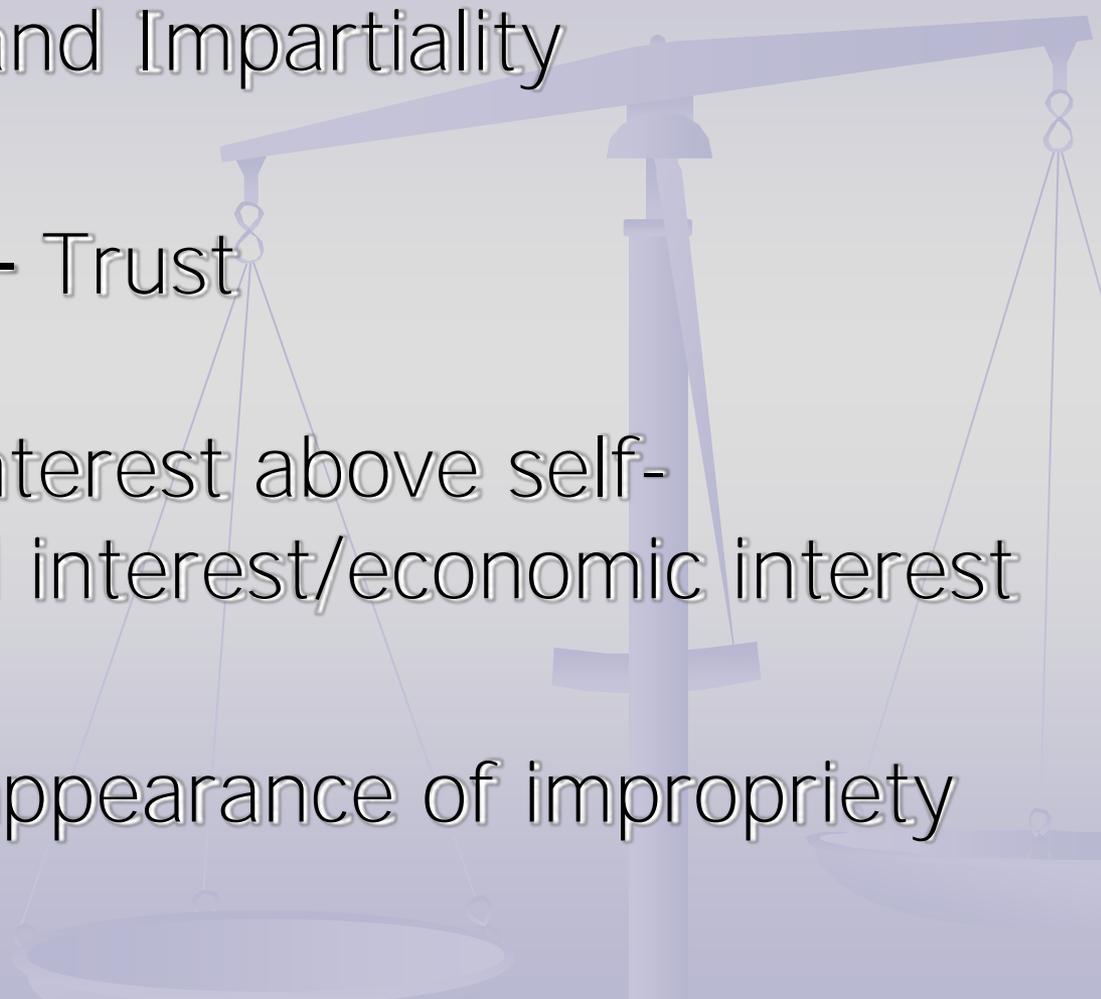
SECTION 2-581 – INTEREST IN COUNTY BUSINESS

SECTION 2-582 – EMPLOYMENT OF RELATIVES

SECTION 2-583 – POLITICAL ACTIVITY

SECTION 2-585 – LIMITATIONS OF CONTRIBUTIONS TO CANDIDATES AND ELECTED OFFICIALS

Ethical Principles



- Independence and Impartiality
- Fiduciary Duty – Trust
- Putting public interest above self-interest/political interest/economic interest
- Avoiding even appearance of impropriety

The Board of Ethics

Is responsible for enforcing the Cook County Ethics Ordinance. The Ethics Ordinance requires **ALL** Cook County officials and employees to abide by a Code of Conduct which sets forth general directives to ensure fair and honest government in Cook County. The Code of Conduct applies to all officials, employees, persons doing or seeking to do business with the County, persons regulated by the County, persons seeking official action by the County and lobbyists.

Duties:

- Education and training
- Issue Advisory Opinions
- Investigate potential Ordinance violations
- Monitor compliance with Ordinance

ETHICS CODE OF CONDUCT: SEC. 2-561 DEFINITIONS

- **Agency** means the County Board, any committee or other subdivision thereof, any County department or other administrative unit, commission, board or other division of the government of the County.
- **Board or Commission Appointee** means all individuals appointed by the President to any Boards or Commissions created by State Statute or County Ordinance that require the approval, confirmation or advice and consent of the County Board.
- **Board or Commission** means any Board or Commission created under County Ordinance or State Statute whose members are appointed by the President subject to the approval, confirmation or advice and consent of the County Board.
- **Official** means any elected County official or appointed official, regardless of whether the official is compensated.

ETHICS CODE OF CONDUCT: SEC. 2-571 FIDUCIARY DUTY

Officials and employees shall, at all times in the performance of their public duties, owe a fiduciary duty to the County.



ETHICS CODE OF CONDUCT: SEC. 2-571 FIDUCIARY DUTY

- You may be asking yourself, “what is a fiduciary duty, and as a member of the Cook County Land Bank Board of Directors, do I have it?”
- To be a fiduciary, means we act in the best interest of another party. As a Director for the Cook County Land Bank, we are **entrusted** with a **power** to **act** on behalf of the taxpayers of Cook County.
- Our “fiduciary duty” requires us to not take advantage of that power or that trust.

ETHICS CODE OF CONDUCT:

SEC. 2-572 IMPROPER INFLUENCE

- No official or employee shall make, participate in making or in any way attempt to influence any County governmental action or decision in which he or she has an economic interest distinguishable from the general public.
- No board or commission appointee shall make, participate in making or in any way attempt to use his or her official position to influence any decision or action by the Board or Commission to which they are appointed in which the board or commission appointee knows, has reason to know or should know that the board or commission appointee has any economic interest distinguishable from that of the general public served by the board or commission to which they are appointed.

ETHICS CODE OF CONDUCT:

SEC. 2-574 RECEIVING AND SOLICITING GIFTS

- County officials and employees, and their spouses, domestic partners, or civil union partners and immediate family members living with them, shall not intentionally solicit or accept any gift from a prohibited source.



ETHICS CODE OF CONDUCT: GIFT BAN DEFINITIONS

A “gift” is any tangible or intangible item having monetary value.



A “prohibited source” is any person:

- seeking official action by the official or employee or employee’s agency
- doing or seeking to do business with the official or employee or employee’s agency
- conducting activities regulated by the official or employee or employee’s agency
- with interests that may be substantially affected by the performance or non-performance of the duties of the official or employee
- registered or required to be registered as County lobbyist

ETHICS CODE OF CONDUCT: GIFT BAN EXCEPTIONS

- opportunities and benefits available to the general public
- gift for which the recipient pays the market value
- political contributions
- educational missions and materials
- travel expenses for a meeting to discuss County business
- gifts from relatives
- gifts based on personal friendship
- food or refreshments not exceeding \$75/day
- food, transportation and other benefits from non-County business or employment activities, if customary
- gifts between elected officials and employees
- bequests, inheritances and death benefits
- any item or items from any one prohibited source during any calendar year having a cumulative total value less than \$100

ETHICS CODE OF CONDUCT: GIFT BAN CURE AND DISCLOSURE

■ **No violation if:**

- gift is promptly returned to its source; or
- gift or an amount equal to its value is donated to charity.

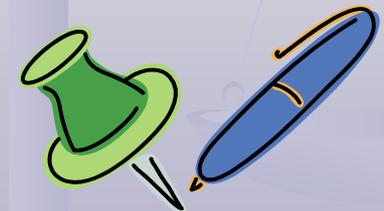
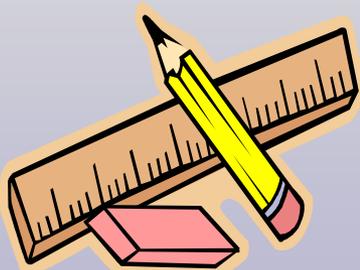


■ **Disclosure:**

Gifts of more than \$100 (or a series of gifts with an aggregate value of more than \$100) from a prohibited source must be disclosed to the Board of Ethics within 10 business days of receipt of the gift.

ETHICS CODE OF CONDUCT: SEC. 2-576 COUNTY PROPERTY

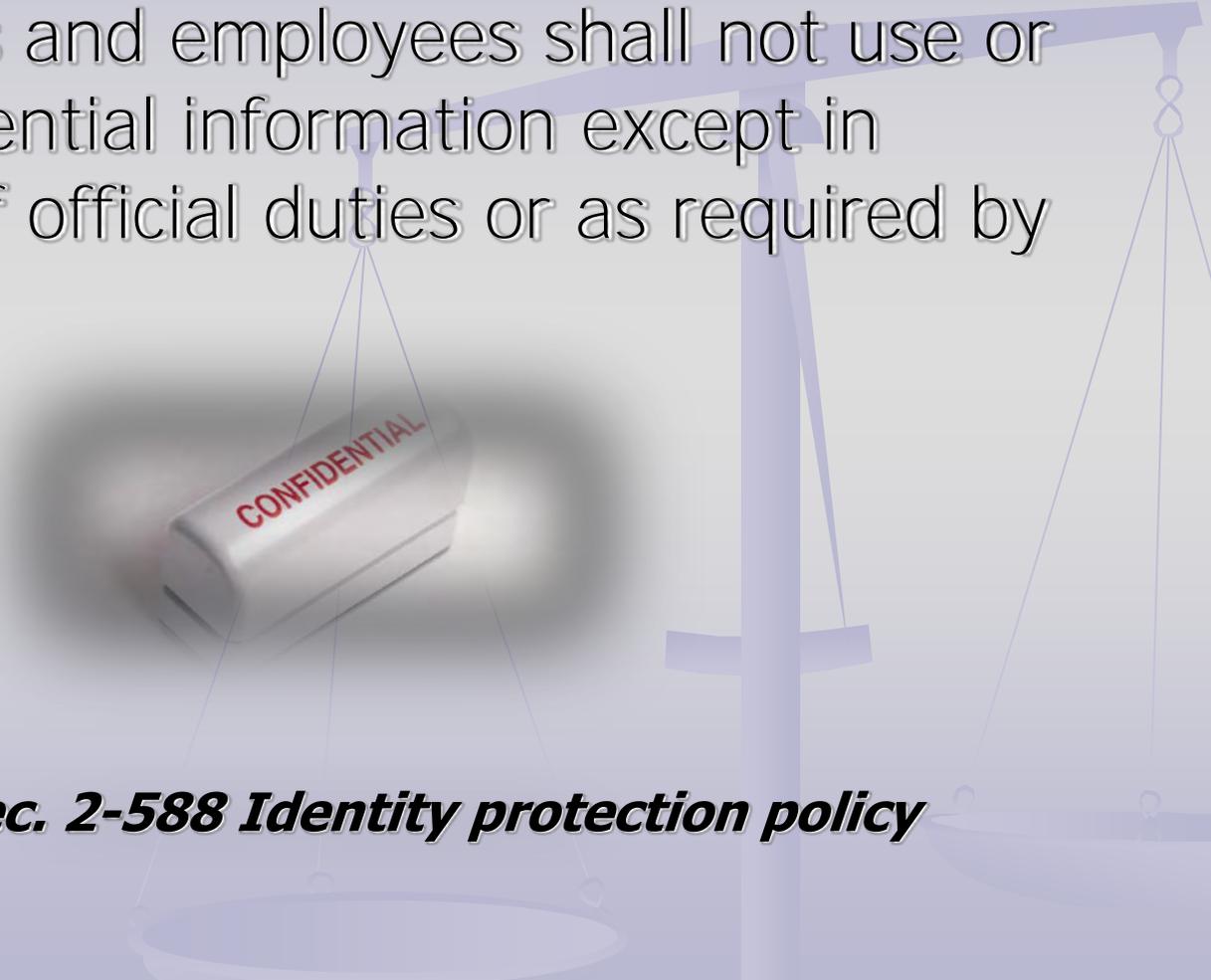
- County officials and employees shall not use, or let anyone else use, County owned or leased property for non-County business.
- County property includes office space, computers, copying machines, telephones, vehicles, office supplies as well as County time.



ETHICS CODE OF CONDUCT:

SEC. 2-577 CONFIDENTIAL INFORMATION

- County officials and employees shall not use or disclose confidential information except in performance of official duties or as required by law.



CONFIDENTIAL

- ***Also see Sec. 2-588 Identity protection policy***

ETHICS CODE OF CONDUCT:

SEC. 2-578 CONFLICTS OF INTEREST

No official or employee shall make, or participate in making, any County governmental decision or any board or commission decision on a matter which the official or employee, or his or her spouse, domestic partner, or civil union partner or dependents, has economic interest distinguishable from general public.

Conflicts must be disclosed and:

- if an employee, the matter reassigned or the conflict eliminated
- if an official, no action taken on the matter
- if an official, must disclose in writing to the board or commission and to the Board of Ethics, and if an elected official, disclose publically on the report of proceedings for the Cook County Board of Commissioners

ETHICS CODE OF CONDUCT:

SEC. 2-580 POST EMPLOYMENT RESTRICTIONS

Permanent restriction:

No former official or employee shall assist or represent any person other than the County, in a judicial or administrative proceeding or in a business transaction involving the County if the official or employee was counsel of record or participated personally and substantially in the proceeding or in a business transaction during his or her term of office or employment.

For one year after leaving the County, a former official or employee may not knowingly and for compensation lobby any County official or employee on behalf of any other entity.

ETHICS CODE OF CONDUCT:

SEC. 2-581 INTEREST IN COUNTY BUSINESS OR BOARD OR COMMISSION BUSINESS

- County officials and employees shall not have a financial interest in any contract, sale or business paid for with County funds, or in the case of a board or commission appointee in any contract work or business of the board or commission to which they are appointed or that which the board or commission approves.
- A “financial interest” is payment of \$2,500 per year; an interest worth \$5,000 or more; or an interest of 10% or more of a for-profit entity.
- “Financial interest” shall not include the income of spouse, domestic partner, or civil union partner.

ETHICS CODE OF CONDUCT:

SEC. 2-582 EMPLOYMENT OF RELATIVES

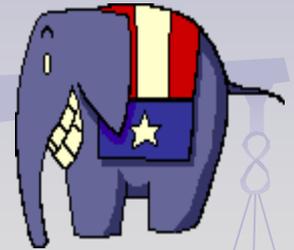
- No official, board or commission appointee shall participate in the decision to hire or advocate for employment of a relative over whom they would exercise authority, supervision or control or to contract with a relative.
- Relative shall mean a person who is related to an official or employee as spouse or any of the following whether by blood, marriage or adoption: domestic partner, civil union partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.

ETHICS CODE OF CONDUCT:

SEC. 2-583 POLITICAL ACTIVITY

- No official, board or commission appointee or employee shall compel, coerce or intimidate any County official or employee to make or refrain from making any political contribution.
- At no time shall any board or commission appointee misappropriate the services of any board or commission employee by requiring that employee to perform any prohibited political activity:
 - **As part of that employee's County duties or in the case of a board or commission, as part of that employee's board or commission duties;**
 - As a condition of County employment or in the case of a board or commission, as a condition of board or commission employment; or
 - During any time off that is compensated by the County or board or commission (such as vacation, personal, or compensatory time off).

ETHICS CODE OF CONDUCT: SEC. 2-583 POLITICAL ACTIVITY



Political Activity Prohibitions:

- No political activity during board or commission working hours and no use of County property for political activities.
- County officials and employees shall not require an employee to perform any prohibited political activity during board or commission hours, during any County compensated time off or as a condition of employment.

ETHICS CODE OF CONDUCT:

SEC. 2-585 LIMITATIONS OF CONTRIBUTIONS TO CANDIDATES AND ELECTED OFFICIALS



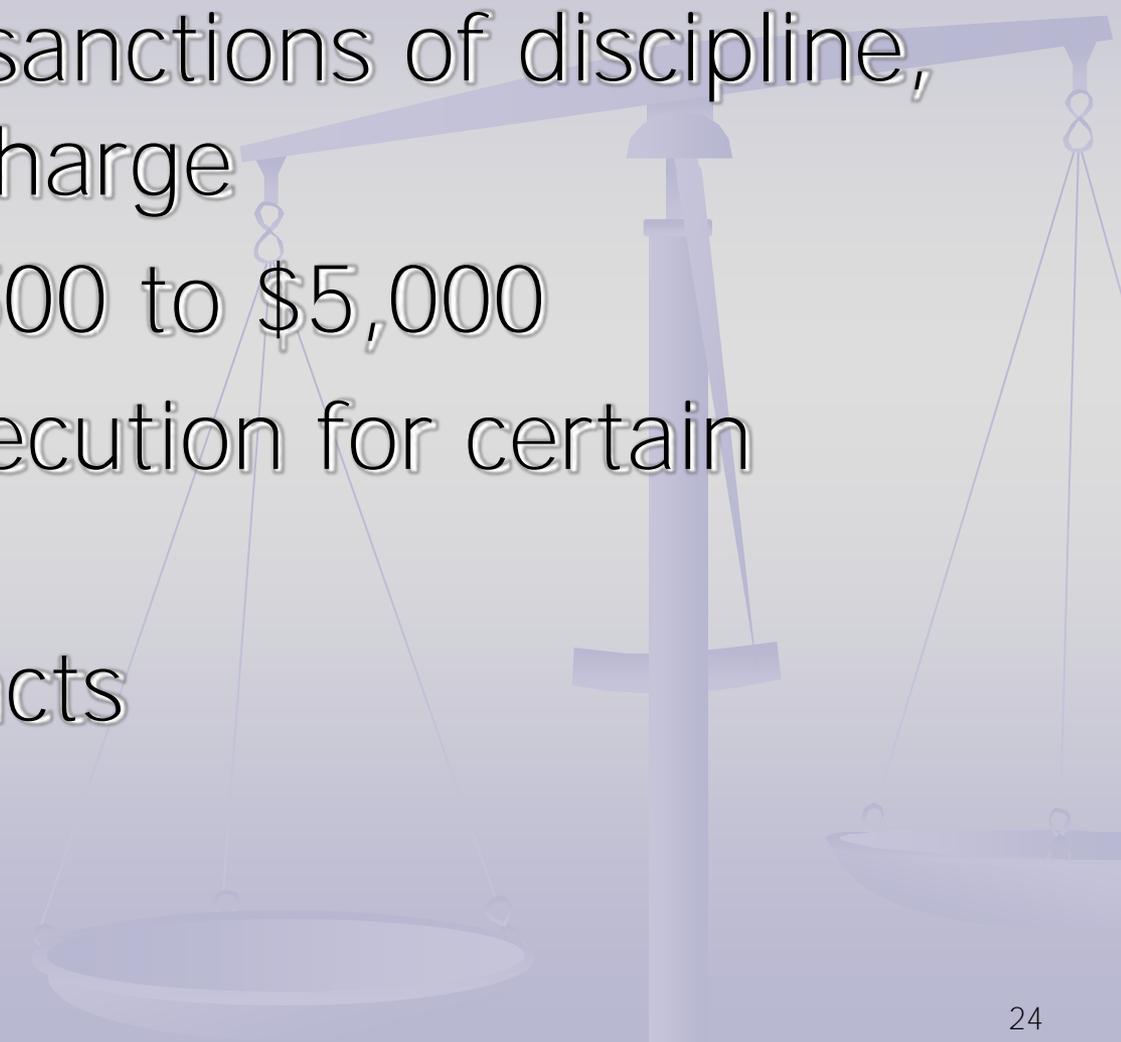
Persons having “done business” with the County or is a lobbyist registered with the County within the preceding 4 years, or who are seeking to do business, with the County may not contribute more than:

- \$750 per election (for a total of \$1,500 in race with a primary and general election), or
- \$750 total in a non-election year

“Done business” means

- “any one or combination of County contracts, leases, etc. in excess of \$10,000 in 12 consecutive months, or during the previous four years”.

PENALTIES



- Employment sanctions of discipline, including discharge
- Fines from \$500 to \$5,000
- Criminal prosecution for certain offenses
- Voided contracts

Seek Assistance

The Board of Ethics is a resource for all officials and employees with ethics questions.

Contact Information:

Cook County Board of Ethics
69 W. Washington St., Suite 3040
Chicago, IL 60602
312/603-4304; 312/603-3670 (fax)

CookCounty.Ethics@cookcountyil.gov

ALL INQUIRIES ARE STRICTLY CONFIDENTIAL