

EXECUTIVE ORDER 86-1a

I, HAROLD WASHINGTON, Mayor of the City of Chicago in the State of Illinois, hereby declare and order as follows:

Section 1. Executive Order 86-1 be and hereby is amended in paragraphs 1 (b), 13 (a), 13 (c), 13 (d), 13 (e), 13 (f), 15 (a), 16 (g), 16 (j), 18 (a), 18 (b), 20 (b), 26 (a) and 26 (b) by deleting the language contained in brackets and adding the language underscored as follows:

1. (b) It is also essential to the proper operation of government that those [best] who are qualified be encouraged to serve the government. Accordingly, legal safeguards against conflicts of interest must be so designed as not unnecessarily or unreasonably to impede the recruitment and retention by the government of those men and women who are [best] qualified to serve it. The right of each official and employee to privacy in his financial affairs must not, therefore, be limited beyond that disclosure necessary to ensure the integrity of government. Moreover, because an essential principle underlying the staffing of our government is that its officials and employees should not be denied the opportunity, available to all other citizens, to acquire and retain private [economic] financial and other interests, such opportunity should not be limited unless conflicts with the responsibility of such officials and employees to the public cannot be avoided.

13. (a) No official or employee shall [participate in any way in a hiring decision, in any agency over which such official or employee either serves or exercises immediate supervision with respect to any person who is a relative of the official or employee] employ or advocate for employment, in any agency over which said official or employee either serves or exercises authority, supervision, or control, any person (i) who is a relative of said official or employee, or (ii) in exchange for or in consideration of the employment of any of said official's or employee's relatives by any other official or employee.

13. (c) No City official or employee shall participate in any City agency decision to contract with any person with whom or in which a relative of the employee or official has a financial interest.

13. (d) No City official or employee may exercise contract management responsibility or authority where any relative of the official or employee is employed by or has contracts with persons doing City work over which the City official or employee has or

exercises contract management responsibility or authority. Contract management responsibility or authority includes negotiations, the preparation of specifications, the evaluation of bids and/or the supervision of performance of the contract.

13. (e) No City official or employee shall use or permit the use of his position to assist any relative in securing employment or contracts with persons over whom the City employee or official has or exercises contract management responsibility as defined in paragraph 13(d) above. The employment of or contracting with a relative of such a City official or employee by such a person within 6 months prior to, during the term of, or 6 months subsequent to the period of a City contract shall be evidence that said employment or contract was obtained in violation of this Executive Order.

13. (f) Any City official or employee who is or believes he may be in violation of paragraphs 13(d) and/or 13(e) shall immediately disclose such violations in writing to his department head and the Board of Ethics. The department head shall, within fourteen days of receipt of such notice, inform the Board of Ethics and the employee or official in question of actions to be taken to resolve any conflict. Where appropriate, the department head or the Board of Ethics may refer a matter to the Office of Municipal Investigations for further investigation.

15. (a)(i) Each employee who is compensated for services or occupies a budgeted position as an employee at a rate of \$35,000.00 per year or more, but not including those employees whose base salary is less than \$35,000.00 per year but who earn more than \$35,000.00 per year due to compensation for overtime hours worked, and (ii) each employee who is compensated for services as an employee at a rate of less than \$35,000.00 per year for such employment, and also receives additional compensation either for professional services rendered to, or as an independent contractor for, the City in such an amount that his total income for service to the City is \$35,000.00 per year or more, shall file with the Board of Ethics a verified written statement of financial interests in accordance with the provisions of this Article. For purposes of this Article, the persons listed herein shall be referred to as reporting individuals.

16. (g) The identity of any financial interest in real estate, other than the principal place of residence of the reporting individual, including the address or, if none, the legal description, and including trusts of which the corpus consists primarily of real estate; provided that the real estate is located in Cook, DuPage, Lake, Kane, McHenry or Will counties within the state of Illinois.

16. (j) The name and instrument of debt of all debts in excess of \$5,000.00 owed by the reporting individual, and the name and instrument of debt of all debts in excess of \$5,000.00 owed to the reporting individual, but only if the creditor or debtor respectively, or any guarantor of the debt, has done work for or business with the City of Chicago in the preceding calendar year. The foregoing notwithstanding, debt instruments issued by financial institutions whose normal business includes the making of loans of the kind received by the reporting individual, and which are made at the prevailing rate of interest and other terms and conditions standard for such loans at the time the debt was contracted, need not be disclosed. [The foregoing notwithstanding, debt instruments issued by publicly held corporations need not be disclosed.]

18. (a) Not less than 90 days before the due date for filing statements of financial interests, annually, the City Comptroller shall certify to the Board of Ethics a list of the names and mailing addresses of the persons described in Section 15 who are required to file a statement of financial interests. In preparing this list, the city comptroller shall set out the names in alphabetical order and shall file a copy of the list with the Board of Ethics. Not less than 30 days before the due date for filing statements of financial interests, annually, the City Comptroller shall certify to the Board of Ethics a supplemental list of those persons described in Section 15 who have, in the interim, become required to file a statement of financial interests. The supplemental list shall be in the same form and be filed in the same manner as the original list certified to the Board of Ethics.

18. (b) Not less than 60 days before the due date for filing such statements, the Board of Ethics shall, in writing [and by certified mail] notify all persons required to file statements of financial interests required to be filed by this Article. Persons required to file statements of financial interests shall be notified by personal delivery or certified mail. The Board of Ethics shall effectuate personal delivery of such notices by delivering the notices to the various department heads of the City for distribution to employees. Employees shall be required to acknowledge receipt of such notices in writing. Department heads shall notify the Board of Ethics of those employees who have not been served with such notice within 15 days. The Board of Ethics shall then take appropriate steps to notify such persons by certified mail of the filing requirements. Employees shall be notified by mail at the last known address for them appearing in City records.

20. (b) Members of the Board shall (i) reside within the corporate boundaries of the City; (ii) not hold other elected or appointed public or political party office; (iii) not be an employee of the [government of the United States, State of Illinois, or] City or any subdivision thereof; (iv) have no financial interest in any work or business of or official action by the City.


26. Powers and duties. The Board of Ethics shall have the following powers and duties:

(a) To initiate and to receive complaints of violations of any of the provisions of this Executive Order and to investigate and act upon such complaints as provided by this Executive Order [;]. In conducting investigations the Board shall request the assistance of the Office of Municipal Investigation for investigation of inquiries pertaining to civilian employees, the assistance of the Internal Affairs Division of the Department of Police for investigation of inquiries pertaining to police personnel and the assistance of the Inspections and Auditing Division of the Fire Department for investigation of inquiries pertaining to fire personnel;

(b) To cooperate with the Mayor, City agencies, officials and employees in investigating alleged violations of this Executive Order. City agencies, employees and officials shall cooperate with the Board. Information necessary to any such investigation shall be made available to the Board upon written request[. If the Board determines that the investigative assistance of the Office of Municipal Investigations is needed, it may refer a matter to OMI for investigation];


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Section 2. This Executive Order shall be in full force and effect upon its signature by the Mayor and receipt and filing with the City Clerk.


Harold Washington
Mayor of the City of Chicago

Dated: May 7, 1986

Received and filed May 7, 1986


Walter S. Kozubowski
City Clerk