

MEH

May 16, 1989

[REDACTED]



City of Chicago
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Board of Ethics
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Executive Director

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Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

Re: Honoraria
Case No. 88159.A

Dear [REDACTED]

The Board of Ethics has received your request for an advisory opinion regarding the acceptance of honoraria by City personnel for speeches or seminars that they give on City time. It is our determination that the Ethics Ordinance (Chapter 26.2 of the Municipal Code of Chicago) generally prohibits acceptance of the honoraria in question.

The principal provision of the Ordinance involved in this determination is Section 26.2-2. It states that "Officials and employees shall at all times in the performance of their public duties owe a fiduciary duty to the City." Fiduciary duty presupposes that officials and employees should not obtain private benefits on City time. Consequently, as a general rule City personnel are prohibited by their fiduciary duty from accepting compensation or payment of any sort from anyone other than the City for services, including speeches or seminars, rendered during their City hours. On the other hand, the acceptance of honoraria for services rendered




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after City hours, on vacation, or on compensatory time is not prohibited by the Ordinance, so long as they are reported to the Board of Ethics within five business days of their receipt (See Section 26.2-4(g)).

As a response to a hypothetical question, the preceding opinion necessarily represents only the general policy of the Board of Ethics. The specific circumstances surrounding an honorarium might operate to permit its acceptance by an official or employee. Therefore, we urge you or any other City official or employee who has been offered an honorarium in connection with services rendered on City time to contact the Board for a determination.

Sincerely,


S. Brandzel
Chairman

MA/ma: 88159-N