



Office of Chicago City Clerk



F2011-114

Office of the City Clerk

Tracking Sheet

Meeting Date: 5/18/2011
Sponsor(s): Mayor Emanuel, Rahm
Type: Communication
Title: Executive Order No. 2011- 3
Committee(s) Assignment:



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2011 MAY 16 PM 4:26

OFFICE OF THE MAYOR
CITY OF CHICAGO

OFFICE OF THE
CITY CLERK

RAHM EMANUEL
MAYOR

Executive Order No. 2011-3

WHEREAS, the City of Chicago is committed to the highest standards of integrity, honesty, efficiency and accountability among its employees; and

WHEREAS, ethical conduct is a key ingredient in building and sustaining taxpayer trust; and

WHEREAS, City employees should be protected against the potential exercise of improper and unfair pressure by their supervisors; and

WHEREAS, by this Executive Order, the Mayor conveys to City employees an unmistakable message about their undivided fidelity to the City and the fair treatment of fellow City employees; now, therefore,

I, RAHM EMANUEL, Mayor of the City of Chicago, do hereby order as follows:

1. Definitions

For purposes of this Order,

“Employee” has the same meaning as in Section 2-156-010 of the Municipal Code of Chicago.

“Gift” has the same meaning as in Section 2-156-010 of the Municipal Code of Chicago.

“Official Superior” means any other Employee, including but not limited to an immediate supervisor, whose official responsibilities include directing or evaluating the performance of the Employee's official duties or those of any other Official Superior of the Employee. For purposes of this Order, “Official Superior” also includes the Mayor. Additionally, for purposes of this Order, an Employee is considered to be the subordinate of any of his Official Superiors.

“Political Contribution” has the same meaning as in Section 2-156-010 of the Municipal Code of Chicago.

“Political Fundraising Committee” has the same meaning as in Section 2-156-010 of the Municipal Code of Chicago.

“Solicit” means to request contributions by personal communication or by general announcement.

“Voluntary Contribution” means a contribution given freely, without pressure or coercion. A contribution is not voluntary unless it is made in an amount determined by the contributing Employee, except that where an amount for a Gift is included in the cost for a luncheon, reception or similar event, an Employee who freely chooses to pay a proportionate share of the total cost in order to attend will be deemed to have made a Voluntary Contribution.

2. Prohibition on Gifts

- a. Except as provided in this Executive Order, an Employee may not:
 - (i) Give a Gift to or make a donation toward a Gift for an Official Superior; or
 - (ii) Solicit a contribution from another Employee for a Gift to either his own or the other Employee's Official Superior.
- b. Except as provided in this Order, an Employee may not accept a Gift from an Employee receiving less pay than himself unless:
 - (i) The two Employees are not in a subordinate-Official Superior relationship; and
 - (ii) There is a personal relationship between the two Employees that would justify the Gift.
- c. Notwithstanding any exception provided in this Order, an Official Superior shall not coerce a Gift from a subordinate.

3. Exceptions to Prohibitions on Gifts

The prohibitions set forth in section 2(a) and section 2(b) do not apply to a Gift given or accepted under the circumstances described in subsection (a) or (b) of this section. A contribution or the solicitation of a contribution that would otherwise violate the prohibitions set forth in section 2 may only be made in accordance with paragraph (c) of this section.

- a. On an occasional basis, including any occasion on which Gifts are traditionally given or exchanged, the following may be given to an Official Superior or accepted from a subordinate or other employee receiving less pay:
 - (i) Items, other than cash, with an aggregate market value of \$10 or less per occasion;
 - (ii) Items such as food and refreshments to be shared in the office among several Employees;
 - (iii) Personal hospitality provided at a residence which is of a type and value customarily provided by the Employee to personal friends; or

(iv) Items given in connection with the receipt of personal hospitality if of a type and value customarily given on such occasions.

b. A Gift appropriate to the occasion may be given to an Official Superior or accepted from a subordinate or other Employee receiving less pay:

(i) In recognition of infrequently occurring occasions of personal significance such as marriage, illness, or the birth or adoption of a child; or

(ii) Upon occasions that terminate a subordinate-Official Superior relationship, such as retirement, resignation, or transfer.

c. An Employee may solicit Voluntary Contributions of less than \$20 from a fellow Employee for an appropriate Gift to an Official Superior and an Employee may make a Voluntary Contribution of a less than \$20 to an appropriate Gift to an Official Superior:

(i) On a special, infrequent occasion as described in subsection (b) of this section; or

(ii) On an occasional basis, for items such as food and refreshments to be shared in the office among several Employees.

An Employee may accept such Gifts to which a subordinate or other Employee receiving less pay than himself has contributed.

4. Prohibition on Political Contributions to Mayor

It shall be a violation of this Order for any City Employee or appointee to make a Political Contribution of any amount to the mayor or to his Political Fundraising Committee.

5. Violations

Any violation of this Order shall be grounds for discipline, up to and including termination of employment with the City of Chicago.

6. General Provisions

a. If any provision of this Order or the application of such provision is held to be invalid, the remainder of this Order and other dissimilar applications of such provision shall not be affected.

b. Nothing in this Order shall be construed to impair or otherwise affect authority granted by law to a department, agency, board or the head thereof

c. This Order shall be implemented consistent with applicable law.

d. This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Chicago, its departments, agencies, or entities, its officers, Employees, or agents, or any other person.

7. Effective Date

This Order shall take effect upon its execution and filing with the City Clerk.

A handwritten signature in black ink, appearing to be "Ralph", written over a horizontal line.

Mayor

Received and filed May 16, 2011

A handwritten signature in black ink, appearing to be "Susana F. Munday", written over a horizontal line.

City Clerk



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RAHM EMANUEL
MAYOR

May 16, 2011

Susana A. Mendoza
City Clerk
Room 107, City Hall
Chicago, IL 60602

Dear Ms. Mendoza:

I transmit herewith for filing Executive Orders 2011-1 through 2011-6, which I have signed this date.

Your prompt attention to these matters is appreciated.

Sincerely,

Mayor