

Highlights of Proposed Changes to the Ethics Code

➤ **Expand the list of financial interests that require a person to disqualify themselves.** Under current law, only a City officer or employee's *personal* financial interest in a matter requires their recusal. Under the Commission's proposal, a person subject to the Code will need to recuse themselves whenever *any* of the following have a financial interest:

- a spouse or domestic partner, child, child of a spouse or domestic partner, sibling, sibling of a domestic partner, brother-in-law, sister-in-law, parent, parent of a spouse or domestic partner, a person for whom the individual is a legal guardian, or a person claimed as a dependent on the individual's most recently filed federal income tax return;
- someone residing with the individual;
- a person that the individual serves as an officer, director, trustee, partner or employee;
- a person with which the individual is seeking or has an arrangement concerning future employment.

➤ **Require that appearances of conflicts be disclosed.** Under current law, City officers and employees must recuse themselves when their private activities create an appearance of conflict. With the significant expansion of the list of financial interests requiring recusal, the Commission proposes requiring that appearances of conflict be publicly disclosed. Disclosure is the appropriate remedy when reasonable minds can disagree, and provides an incentive for public engagement in government.

➤ **Extend the Commission's jurisdiction to reach certain City contractors.** Under current law, City contractors are beyond the Commission's jurisdiction. Under the Commission's proposal, the Commission would have jurisdiction over individuals who served as contractors for more than 1,000 hours in any twelve-month period.

➤ **Extend the bar on former City employees assisting others with matters in which they participated.** Many other jurisdictions, including Washington state, have a lifetime bar on former employees helping others with the same matters on which they worked while with the government. Under the Commission's proposal, the City's bar would be extended from one year to two years.

➤ **Limit the bar on former City employees dealing with their former department to cover only *communications* with the department.** Under current law, a former employee cannot assist someone in a proceeding involving their former department. This provision is a hardship, as well as a surprise to many who leave City service. For example, an architect with DPD cannot work on a project requiring a DPD permit for a year after leaving the City. Under the Commission's proposal, the architect would be able to assist a homeowner with a project, but could not communicate with DPD on the homeowner's behalf.

➤ **Provide a mechanism to waive the bar on individuals dealing with their former employer.** Under current law, a City employee may not have official dealings with his or her former employer for a year after joining the City. Sometimes, however, barring an employee from dealing with his or her former employer for a year may do more harm than good to the City's interests. The Commission's proposal creates a mechanism for the Executive Director to waive this restriction when the person's appointing authority determines that there is a compelling need for the person's services, and the department provides a plan for safeguarding the City's interests.