

MWRDGC Ethics Ordinance for Commissioners, Officers, and Employees

**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO
GOVERNMENTAL ETHICS ORDINANCE**

ORDINANCE NO. O22-004

**Effective April 22, 2004, Amended January 23, 2020, Amended January 21, 2021, As Amended
April 7, 2022**

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Short Title: Metropolitan Water Reclamation District of Greater Chicago Ethics Ordinance

ARTICLE I: GENERAL

A. Statement of Purpose

The Metropolitan Water Reclamation District of Greater Chicago (“District”) is committed to the highest standards of legal and ethical conduct in its operations. On April 22, 2004, the Board of Commissioners adopted the District’s “Ethics Ordinance.” Accordingly, the District enacted ethics provisions that coincide with the requirements of the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003). On January 23, 2020, the Board of Commissioners, in keeping with its strong commitment to ethical practices within the District, amended the Ethics Ordinance to continue to regulate political activities and acceptance of Gifts by the Commissioners, Officers and Employees of the District “in a manner no less restrictive” than the provisions of the Illinois State Officials and Employees Ethics Act. In addition, the Board of Commissioners adopted new provisions and expanded upon others to address Lobbyist registration requirements and heightened conflict of interest provisions for the Commissioners, Officers, Employees and other specified individuals and entities. On January 21, 2021, the Board of Commissioners amended the Lobbyist registration fee. Now, in accordance with Illinois Public Act 102-664, the Ethics Ordinance is amended to eliminate all Lobbyist registration and regulation as the Illinois Secretary of State is now responsible for all local Lobbyist registration and regulation other than a municipality with a population over 500,000.

No one set of ethics provisions can reasonably cover all potential ethical matters that could arise in District operations considering its size and complexity. Accordingly, it is the express intent of the Board of Commissioners that these provisions should be interpreted and applied in a manner that achieves the highest degree of ethical conduct by all those covered under its provisions.

B. Code of Conduct

All Commissioners, Officers and Employees shall:

1. Remember that they are public servants who must place loyalty to the federal and Illinois constitutions, laws and ethical principles above their private gain or interest.
2. Give a full day’s work for a full day’s pay.
3. Put forth honest effort in the performance of their duties.
4. Treat members of the public with respect and be responsive and forthcoming in meeting their requests for information.
5. Act impartially in the performance of their duties, so that no private organization or individual is given preferential treatment.
6. Refrain from making any unauthorized promises purporting to bind the District.
7. Never use any nonpublic information obtained through the performance of District work for private gain.

8. Engage in no business or financial transaction with any individual, organization or business that is inconsistent with the performance of their District duties.
9. Protect and conserve District property and resources and use District property and resources only for authorized purposes or activities.
10. Disclose waste, fraud, abuse, corruption or ethical misconduct, including unlawful political discrimination or activity, to the appropriate authorities.
11. Adhere to all applicable laws and regulations that provide equal opportunity for all Persons regardless of race, sex, gender, color, racial group or perceived racial group, disability, age, religion, national origin or ethnicity, sexual orientation, current military status, veteran or military discharge status, genetic information, pregnancy-related condition, association with anyone with these characteristics or any other legally protected characteristic.
12. Not engage in, encourage or permit – by action or inaction – behavior constituting harassment, discrimination, violence, bullying, threats, intimidation or retaliation.

This section 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 District, its Commissioners, Officers, Employees, agents or any other Person.

C. Definitions

For purposes of this Ordinance, the following terms shall be given these definitions:

1. “Administrative Action” means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual arrangement, purchasing agreement or other delegated legislative or quasi-legislative action to be taken or withheld by the District, including any decision on, or any proposal, consideration, enactment or making of any rule, regulation, or any other official nonministerial action or non-action by the District.
2. “Board of Commissioners” means the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, which is its corporate authority.
3. “Campaign for Elective Office” means any activity in furtherance of an effort to influence the selection, nomination, election or appointment of any individual to any federal, state or local public office or office in a Political Organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any Executive, Legislative or Administrative Action, (ii) relating to Collective Bargaining or (iii) that are otherwise in furtherance of the Person’s official duties.
4. “Candidate” means a Person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election.
5. “Clerk” means the Director of Finance and Clerk of the District.

6. "Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).
7. "Commissioner" means an elected or appointed member of the Board of Commissioners.
8. "Compensated Time" means with respect to an Employee, any time worked by or credited to the Employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, Compensatory Time Off or any period when the Employee is on a Leave of Absence. With respect to Commissioners, Officers or Employees whose hours are not fixed, "Compensated Time" includes any period of time when the Commissioner, Officer or Employee is on premises under the control of the District and any other time when the Commissioner, Officer or Employee is executing his or her official duties, regardless of location.
9. "Compensatory Time Off" means authorized time off earned by or awarded to an Employee to compensate in whole or in part for time worked in excess of the minimum work time required of that Employee as a condition of his or her employment.
10. "Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).
11. "District" means the Metropolitan Water Reclamation District of Greater Chicago, an Illinois special district and unit of local government.
12. "District Contractor" means any Person (including their agents or Employees acting within the scope of their employment) who is paid by the District for goods or services.
13. "Employee" means a Person employed by the District, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of the District with regard to the material details of how the work is to be performed, but does not include an independent contractor or the Commissioners.
14. "Ethics Commission" means the District's Ethics Commission.
15. "Executive Action" means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by the District of a rule, regulation, order, decision, determination, contractual arrangement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding.
16. "Executive Director" means the Executive Director and Chief Administrative Officer of the District.
17. "Gift" means anything of value given without fair market value consideration and/or any gratuity, discount, entertainment, hospitality, loan, forbearance or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of a Commissioner, Officer or Employee.