



**COOK COUNTY
GOVERNMENT**

**COOK COUNTY ASSESSOR
FRITZ KAEGI**

**OFFICE OF THE COOK COUNTY ASSESSOR
FREDERICK “FRITZ” KAEGI
EXECUTIVE ORDER 2018-01**

ETHICS EXECUTIVE ORDER

WHEREAS, Article VII of the Cook County Code of Ordinances provides for a Code of Ethical Conduct known as the Cook County Ethics Ordinance, which sets forth the duties, responsibilities and prohibitions applicable to all officials, and employees of the County; and

WHEREAS, it is the intent of the Cook County Assessor to ensure that officers and employees of the Cook County Assessor’s Office (CCAO) comply with the Cook County Ethics Ordinance; and

WHEREAS, it is essential that public officials and their offices be independent and impartial, that governmental decisions and policies be made through proper channels, that public offices such as the CCAO not be used for private gain, and that the public have confidence in the integrity of government; and

WHEREAS, the Assessor is committed to improving the property tax system in Cook County, by building transparency in the office, making services more efficient, and earning a greater trust from the public by delivering uniform assessments in compliance with industry standards and guided by best practices; and

WHEREAS, the Assessor seeks to create a culture of professionalism, inclusion, and accountability to the public, with engaged employees who take pride in the delivery of high-quality service and excellence in public service and administration;

NOW, THEREFORE, be it resolved that the Cook County Assessor hereby adopts this Ethics Executive Order (“Order”) to read as follows:

In order to create excellence in the workplace, and an environment where employees and officers demonstrate integrity, respect and responsibility and create fair and uniform assessments, employees must comply with the letter and spirit of this Order. Employees shall accurately identify, list, value and classify real property to achieve fairness and uniformity in the valuation and assessment of real property.

All employees want and deserve a workplace in which they feel respected, satisfied and appreciated. The CCAO will not tolerate harassment or discrimination of any kind particularly involving race, color, religion, gender, age, national origin, sexual orientation or disability.

Section 1. Purpose and Applicability

The employees and officers of the CCAO hold their positions to carry out the mission of the CCAO as set forth herein and in the Property Tax Code and County ordinances. Such actions are undertaken in accordance with these parameters for the benefit of the public. Employees do not hold their positions to obtain unwarranted personal or private gain in the performance of their official duties.

This Order applies to all CCAO officials, officers and employees and shall supersede any prior ethics orders. The provisions of this Ethics Order apply in addition to applicable state and local laws relating to conflicts of interest and ethics including, but not limited to, the Cook County Ethics Ordinance of the Cook County Code of Ordinances, and all rules, regulations, policies and procedures of the County of Cook.

Section 2. Definitions

This Order incorporates the definitions of the words, terms, and phrases set forth in Section 2-562 of the Cook County Ethics Ordinance. In the event of a conflict between terms in Section 2-562 and those within this Order, this Order shall govern its own terms.

A violation of the Cook County Ethics Ordinance shall be considered a violation of this Order.

Whenever used in this Order, the following terms shall have the following meanings:

- (a) "County" means the County of Cook.
- (b) "Confidential information" means any information that may be exempt from disclosure under the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, or other law, or required to be held confidential by agreement.
- (c) "Economic interest" means any interest valued or capable of valuation in the monetary terms.
- (d) "Employee" means an individual employed by the CCAO, whether part-time or full-time or by a contract of employment, but excludes Cook County elected officials and officers as defined in this Order. Employee also includes any individual who is paid, whether from the County treasury or pursuant to County ordinance or federal grant, for full-time services to the CCAO, regardless

of the nature of the relationship of such individual to the County for purposes other than this Order. For purposes of this Order, employees are not vendors or sole source contractors.

(e) “Official” means any person holding any elected office of the County or any appointed position. “Officer” means any person employed by the CCAO who is considered an exempt employee under the terms of Shakman rules or consent decree.

(f) “Political contribution” means any gift, subscription, loan, advance, deposit of money, allotment of money, or any tangible item of value given or transferred by one person to another, including in cash, by electronic transfer from one account to another, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any elections. For purposes of this definition, a political contribution does not include a loan made at market rate by a lender in its ordinary course of business.

(g) “Political fundraising committee” means any fund, organization, political action committee or other entity that for purposes of influencing in any way the outcome of any election, receives or expends money or anything of value or transfers money or anything of value to any other fund political party candidate organization, political action committee, or other entity.

(h) “Relative” means a person who is related to an official or employee as spouse or as any of the following, whether by blood or by adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, step-daughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law or sister-in-law.

Section 3. Prohibition on use of governmental resources

(a) Employees and officers shall use official time in an honest effort to perform official duties in a fair and accurate manner.

(b) An employee or officer of the CCAO shall not use his or her public office for his or her own private gain, for the endorsement of any product, service, or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organization of which the employee is an officer or member and persons with whom the employee has or seeks employment or business relations.

(c) Employees and officers have a duty to:

(1) protect and conserve government property, and

(2) refrain from using or allowing its use for purposes other than those for which it is made available to the public or for purposes authorized in accordance with state law or county ordinance to carry out the purposes of the Office.

(d) Personal use of government resources is permitted if the office determines that use:

- (1) Does not adversely affect official duties;
- (2) Is of reasonable duration and frequency;
- (3) Occurs only during employee's personal time;
- (4) Serves a legitimate public purpose;
- (5) Does not reflect adversely on the office; and,
- (6) Creates no significant additional cost to the office.

Section 4. Gift Ban

(a) No official, officer or employee shall solicit, accept or receive a gift in violation of Section 2-574 of the Cook County Ethics Ordinance, as interpreted in this section.

(b) No official, officer or employee shall accept any gifts, regardless of value or kind, from an attorney or person advocating assessment or tax appeals for a fee, a law firm, or other entity conducting business in the CCAO, or from persons that prepare real property appraisals for property located in Cook County.

(c) No official, officer or employee may accept or receive any gift, or multiple gifts from the same source (who does not conduct business or practice in the CCAO), having an annual aggregate value of fifty dollars (\$50) or more. The provisions of (b) and (c) shall not apply to gifts from relatives of the officer or employee provided that there has been proper notification and recusal in compliance with Section 9 of this Code.

(d) Any attempt to bribe or offer of a bribe for any act or failure to act within the scope of an official's, officer's or employee's official duties within the CCAO shall be promptly reported by the official, officer or employee to the Ethics Officer and the appropriate law enforcement agencies and such officer or employee shall fully cooperate and assist law enforcement agencies and personnel in investigating and prosecuting such bribe or bribery attempt.

Section 5. Limitation on Political Contributions to the Assessor

It is the intent of this Order that CCAO employees should be protected against any potential pressure to make a financial contribution to the Assessor or his political fundraising committee. Therefore, the Assessor and his political fundraising committee will not accept any financial contribution from a CCAO employee.

Section 6. Political Activity

(a) No employee shall be hired with regard to political preference, contributions, activities or sponsorship.

(b) No officer or employee shall compel, coerce, intimidate or require any employee to make, refrain from making or solicit political contributions or to engage in any political activity.

(c) No officer or employee shall intentionally perform any prohibited political activity during any compensated time.

(d) No officer or employee shall intentionally use property or resources belonging to Cook County or the CCAO in connection with any prohibited political activity.

(e) Nothing in this Article prohibits activities by an officer or employee conducted on a voluntary basis outside of the CCAO that are not prohibited by this Order.

Section 7. Disclosure of Economic Interests

(a) All officers and employees shall file all financial disclosures required under state law or county ordinance in the manner prescribed.

(b) All officers and employees shall provide proof of filing financial disclosures required in subsection (a) to the Ethics Officer.

(c) All officers and employees shall provide to the Ethics Officer a list of all real property located in Cook County that is owned by the officer or employee or in which such person or the person's spouse or dependent children has an economic or ownership interest. Officers and employees shall update this list of property with the Ethics Officer within 30 days of acquisition of any interest in real property located in Cook County.

Section 8. Recusal and Abstention

(a) Neither the Assessor nor any officer or employee of the CCAO may participate in any decision or take any official action with respect to:

(1) any matter where the Assessor or an employee of the CCAO previously acted as an attorney, appraiser or advocate for one of the parties in interest unless the person acted on behalf of the Assessor or CCAO; or,

(2) any matter requiring the exercise of discretion when he or she knows or has reason to know that the action could confer a direct or indirect benefit on himself or herself, a relative, or a private organization in which the person has an interest.

(b) In any case where a disqualification is called for under paragraph (a), the employee shall disclose such conflict to the Ethics Officer and shall recuse himself or herself from further involvement in the matter.

(c) Upon such recusal, the matter shall be handled by another qualified officer or employee in the CCAO.

(d) In any case where the person recused is the Assessor or another senior employee or officer of the Assessor's Office who would normally have decision-making responsibility, the matter shall be assigned to the first ranking qualified deputy or director.

Section 9. Recusal and Abstention Not Required

(a) The requirements relating to recusal and abstention shall not apply with respect to the following matters:

(1) adoption of the County's annual budget;

(2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

(i) all County officials and employees;

(ii) all residents and taxpayers of Cook County; or

(iii) the general public; or,

(3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter which comes before the Assessor when the Assessor would be prohibited from acting by Section 9 of this Order and the matter cannot be lawfully delegated to another person.

Section 10. Nepotism

Except as otherwise required by law:

(a) Neither the Assessor nor any officer or employee of the CCAO may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the CCAO.

(b) Neither the Assessor nor any officer or employee of the CCAO may supervise or be in the chain of supervision over a relative in the performance of the relative's official powers or duties. If, at the effective date of this Order, there is a violation of this section, the subordinate employee shall be transferred to another section or department of the CCAO not under the relative's supervision.

Section 11. Prohibition on Sexual Harassment

Sexual harassment in any form is strictly prohibited as set forth in the Assessor's Prohibition on Sexual Harassment when executed and the Cook County Prohibition on Discrimination and Harassment (Cook County Prohibition). Employees in the CCAO who believe they have been subject to sexual harassment are encouraged to file a complaint with an appropriate authority. The terms of the Cook County Prohibition and the Assessor's Prohibition on Sexual Harassment apply to all officials, officers and employees of the CCAO.

Any form of retaliation directed against an individual who complains about sexual harassment or who participates in any investigation concerning sexual harassment is strictly prohibited and will not be tolerated. Violations of the Cook County Prohibition or the Assessor's Prohibition on Sexual Harassment by employees and officers will be subject to discipline, up to and including discharge. Violations of these policies by third parties will be subject to appropriate action.

Section 12. Outside Employment

(a) It is the duty of every officer and employee of the CCAO to report outside employment or activities that may conflict with the work of the CCAO.

(b) Officers and employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with their official duties, hours of work or responsibilities in the CCAO.

(c) Any officer or employee who maintains outside employment shall obtain prior approval from his or her immediate supervisor and the Ethics Officer. Any officer or employee that holds outside employment on the effective date of this Ethics Order shall promptly obtain approval from his or her immediate supervisor and the Ethics Officer.

Approval of outside employment that does not conflict with the work, hours or mission of the CCAO shall not be unreasonably withheld.

Section 13. Revolving Door Rules

(a) Any person who serves as a supervisor, manager, director, department head or officer of the CCAO, is prohibited from lobbying or conducting business before the CCAO for a period of one year after leaving the position.

(b) Any employee who holds an Exempt Position in the CCAO on or after December 3, 2018, other than a person described in subparagraph (a), is prohibited from lobbying or conducting business before the CCAO for a period of one year after the employment ends.

(c) These prohibitions shall not apply to any person who (i) occupied the position before December 3, 2018, and (ii) resigns from that position before June 3, 2019. These prohibitions also do not prohibit any person from seeking assistance or assessment information from the CCAO for real property in which they hold an interest after their employment ends.

Section 14. Visitors Log

(a) Sign-in logs shall be kept for persons transacting business at the CCAO who visit a particular officer or official in regard to an assessment appeal or other matter involving the exercise of discretion by an official, officer or manager. Such logs shall indicate the name of the visitor; date and time of the visit; the officer or official visited and purpose of the visit; and the law firm, company, or other business represented.

(b) Vendors who are under contract with the CCAO or the County to provide service to the CCAO are not required to sign the visitor's log when providing services under the contract.

Section 15. Ethics Officer

The Assessor of Cook County shall designate an Ethics Officer who shall be responsible for the administration and enforcement of this Ethics Order. The Ethics Officer may have other duties, titles, or jobs within the CCAO.

The Ethics Officer shall provide a copy of this Ethics Order to all new officers and employees of the Cook County Assessor's office and may, from time to time, provide ethics training to all officers and employees of the Assessor's office.

Section 16. Sanctions for Violation

Any employee found to have violated any provision of this Order, or furnished false or misleading information in any investigation, hearing or inquiry held pursuant to this Order, shall be subject to employment sanctions, up to and including discharge. The provisions of this Order shall not limit the power of the Assessor to otherwise discipline employees in accordance with applicable law and governing agreements.

Section 17. Severability and Effective Date

If any provision of this Order or application thereof to any person or circumstances is held unlawful or invalid, such provision is deemed severable. Such invalidity does not affect other provisions or applications of the Order, which shall remain in effect.

This Order shall take effect upon its execution. This Order shall be filed with the County Clerk of Cook County. To the extent required by applicable union contract, the Order will be delayed in force and effect until requirements of notice, negotiation, and union approval are met.

Cook County Assessor

Received and filed December 3rd, 2018.

Cook County Clerk