Mayor Street Delivers Second Installment of Historic Ethics Reforms

PHILADELPHIA — Today Mayor John F. Street transmitted two pieces of comprehensive ethics reform legislation to City Council for its first fall meeting fall. One bill would establish a new Omnibus Code of Ethics; the second would place a question on the spring primary ballot asking voters to establish a new Board of Ethics as part of the City's Home Rule Charter.

"This is the most comprehensive ethics reform the City has seen in 40 years and will provide the public with some measure of confidence in the proper operation of government", Mayor Street said. "The Code provides guidance to employees as they conduct the day to day business of the City. We know that the overwhelming majority of our employees are hardworking and honest; they simply want a clear set of rules in circumstances where potential conflicts of interest exist."

This summer, the Mayor signed an Executive Order creating a "bright line" ban on gifts and meals for employees of all city agencies. It followed recommendations of a committee of the Mayor's 21st Century Review Forum convened in January to analyze the City's existing ethics rules. Today's legislation would incorporate their recommendations into a new law, applicable to the Executive Branch, City Council, elective city row offices and all appointed boards and commissions. It does not apply to the court system or state-created authorities such as the RDA.

The Ethics Code would:

Ban the acceptance of gifts or meals. The Code strengthens the prohibition against acceptance of gifts or meals from individuals doing or seeking to do business with the city. With few exceptions, employees cannot receive gifts or meals from anyone doing business or seeking to do business with the city – and vendors or individuals seeking business cannot offer them. This proposed reform follows Executive Order 002-04, which I signed into law last month.
Ban honoraria. This legislation prohibits, with one exception, the acceptance of honoraria by city employees for speaking or appearing at any event. This proposal follows the same ban on honoraria in the Pennsylvania State Ethics Act. An exception would allow employees to teach or speak at educational institutions, where the professional expertise that the employee brings is not solely based on his or her city employment. I believe it is important to encourage the professional development of our employees, as well as the education of our young people.

Post-employment Representation. The Code adds a prohibition on former city employees doing any business with any city agency for one year after leaving city government service – a significant reform that tracks the State Ethics Act.

Outside employment. This new provision would bar any city employee from outside employment with any other person or business doing work or seeking to do work with the city. This outside employment ban includes the same teaching exception as in the honoraria section of the Code.

Nepotism. City employees and officials will be prohibited from hiring or advocating for the hiring of relatives – a category which is broadly and carefully defined in the Code. This ban on nepotism also extends to an employee's using his or her official position in any way to secure any form of special consideration or treatment for a member of their immediate family.

Political activity. The Code incorporates language from our Home Rule Charter, which bans political activity by most city employees. One of the central aims of this Omnibus Code is to bring together all city ethics rules and codify them in one place, so that employees know what – and where – the rules are.

The Mayor also transmitted a resolution and ordinance to amend the Home Rule Charter to create and empower a new Board of Ethics and gives it the following responsibilities:

1. Education of city workers on the new ethics rules;
2. Prevention of ethics violations by employees;
3. Investigating suspected ethics violations;
4. Issuing advisory opinions on ethics; and
5. Enforcing the new Code of Ethics.

The resolution also expands the size and enforcement powers of the Board to enforce the Ethics Code in the Court of Common Pleas.

Some of the provisions of the new Ethics Code will require state enabling legislation and the Mayor will transmit legislation to the state legislature later this month that will support these changes and advocate for statewide campaign finance reform.

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