

MEMORANDUM

TO: STAFF, OFFICE OF THE MAYOR

FROM: JENNY DELWOOD, DEPUTY CHIEF OF STAFF
RUTH KWON, DEPUTY COUNSEL TO THE MAYOR AND ETHICS OFFICER

SUBJECT: POLICY AND PROCESS FOR OUTSIDE ACTIVITIES
(OUTSIDE EMPLOYMENT & INCOME, HONORARIA AND VOLUNTEER
WORK)

DATE: NOVEMBER 30, 2023

As public servants, we are stewards of the public trust. We must be vigilant in avoiding conduct or action that creates an actual or perceived conflict of interest. Conflicts can arise in many ways, including from financial interests or using our City positions to create a private benefit. This Administration is proud of our team, and we are confident that all of us are mindful of the need to steer well clear of conflicts of interest. But at times we might inadvertently find ourselves in a conflict situation. This memo provides rules that aim to help all of us identify and avoid conflicts that can arise from engaging in pursuits outside of our City duties, called Outside Activities. Please carefully follow the approval process as described below before accepting outside employment, honoraria, or volunteer work.

OUTSIDE ACTIVITIES

Let's first start by defining the term "Outside Activities." It means any non-Mayor's Office employment, outside income, honoraria, and volunteer work. Outside Activities should be interpreted broadly and include, but are not limited to, personal services, with or without compensation, as an officer, director, board member, employee, agent, attorney, consultant, contractor, partner, trustee, teacher, or speaker.

Mayor's staff must obtain written approval using the proper form before participating in an Outside Activity. This policy applies even if the staff member does not file Form 700s and even if the staff member is not receiving monetary compensation for the Outside Activity.¹

Employment: Employment, paid or not paid, requires pre-approval, even if it is for work performed outside of your City work hours. Under City law, no City employee can engage in outside employment during time paid to do City work. See LAMC § 49.5.7

¹ Mayor's Office Policy goes beyond City law, which requires City Officials (employees who file Form 700s) to obtain written approval from the head of their department before accepting any outside income or employment for remuneration. If the source of outside employment or income is a lobbyist or other restricted source, City law requires the written approval of the Ethics Commission.

Honoraria: An honorarium is a payment that is made in consideration for giving a speech, writing an article, participating on a panel, attending a meeting, etc. Under City law, a City Official may not accept an honorarium without prior written approval. See LAMC 49.5.7(C). In the Mayor's Office, honoraria for any staff member are disfavored and will not be approved if it relates to the staff member's Mayoral Office role, duties, or functions.

Volunteer Work: Many of our staff are volunteer-minded individuals, which is a wonderful thing. Mayor's staff are permitted to participate in community, religious and political activities on their own time, as long as those activities do not involve the use of City resources and it is made clear to the organization that staff is not acting on behalf of the Mayor, this Office, or the City. Staff do not need approval for routine community, religious or political activities on personal time. Examples of community volunteer positions that do not need approval include participating in activities for a school (e.g., PTA, Booster Club, alumni events), a youth organization (e.g., AYSO, Girl Scouts), or for a community beautification or service event (e.g., beach clean-up day).

However, staff must seek preapproval for leadership positions, such as service as an officer of a board, even if the for-profit or non-profit entity is not located in the City of Los Angeles or has no involvement in municipal matters. If unsure about whether to seek pre-approval, staff should always err on the side of seeking approval as they may be unaware of circumstances that make their volunteer activity inconsistent, or in conflict with their official duties or responsibilities.

APPROVAL PROCESS

Staff must use the Notification and Request for Approval of Outside Activity form. Each request will be reviewed by Deputy Chief of Staff Jenny Delwood and Deputy Counsel to the Mayor & Ethics Officer Ruth Kwon. Please note that City law requires that approval must be denied if the head of the office (Mayor Bass) determines that the outside income or employment is inconsistent, incompatible, or in conflict with or inimical to the official's City duties or responsibilities. The Mayor's decision will be relayed by Human Relations Director Lidia Manzanares.

POSSIBLE RECUSAL

If a staff member engages in Outside Activity, they may be precluded from participating in any City matter involving the outside employer, the provider of the honorarium, or the organization for which they volunteer. Please seek guidance from the Ethics Officer any time you encounter a possible need to recuse.

If the source of the honorarium is a lobbyist or other restricted source, City law requires written approval from the Ethics Commission.
