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Oakland Public Ethics Commission



Government Ethics for Public Servants

Public Servants are entrusted by the public to use City time, property and resources efficiently and in a legal and ethically responsible manner. While Public Servants are encouraged to practice the highest integrity in their service to the City, the Oakland Government Ethics Act (GEA) provides a minimum standard for government ethics. Below is a summary of some of the provisions of GEA to help you comply with the law and avoid fines or criminal penalties. Contact the Public Ethics Commission for more information about these or any other ethics-related questions.

- 1. Gift Restriction.** You cannot accept any gift that could reasonably influence you in the performance of your official duties. You also cannot accept gifts of more than \$50 cumulatively per year from a person doing business with your department or a person who attempted to influence you in any legislative or administrative action in the preceding 12 months. O.M.C. 2.25.060(C)(3).
- 2. Form 700.** If you are required to file a Form 700 according to the City's Conflict of Interest Code (O.M.C. 3.16), you must submit the Form 700 by the April 1 each year. You must report all gifts and other income as required by the Form 700, and you cannot accept gifts of more than \$250 cumulatively in a calendar year from a single source, unless the gift is exempt from reporting or falls within an exception under the California Political Reform Act. O.M.C. 2.25.060(C).
- 3. Conflict of Interests.** You cannot make, participate in making, or seek to influence a decision of the City on a matter in which you have a financial interest as defined by the California Political Reform Act. O.M.C. 2.25.040(C).
- 4. Use of City Position and Resources.** You cannot use your City position to induce or coerce any person to provide private advantage or benefit to you or anyone else. You cannot use or permit others to use public resources for a campaign activity or for personal or non-City purposes. O.M.C. 2.25.060(A).
- 5. Confidential Information.** You cannot disclose to any other person confidential information acquired in the course of your official duties. O.M.C. 2.25.040(D).
- 6. Revolving Door Restriction: Permanent Post-Service Restriction.** Upon departure from the City, you cannot represent any person or entity other than yourself or the City before any court, or before any state, federal, or local agency in connection with a particular matter in which the following exist:
 - (a) The City is a party or has a direct and substantial interest; and
 - (b) You participated personally and substantially in the matter as a City public servant. O.M.C. 2.25.050(A).
- 7. Revolving Door Restriction: One-Year Ban on Representing Other Persons before Former Department.** For one year after leaving your City position, you cannot lobby on behalf of any other person with any officer or employee of the department, board, commission, or other unit of government, for which you served. (The word "department" includes the City of Oakland for a public servant who is an outgoing Mayor, Councilmember, or their senior staff.) O.M.C. 2.25.050(C).
- 8. Prohibition on Nepotism.** You cannot make, participate in making, or seek to influence any decision of the City regarding an employment or contract action involving a relative. O.M.C. 2.25.070(D).

The restrictions listed above are just a few of the provisions found in the Oakland Government Ethics Act. You can learn more about the GEA, view a summary and text of the law, and watch a ten-minute **Government Ethics Act Video** on our website at www.oaklandnet.com/pec.

If you have questions about a government ethics law, and before you take action that could be in violation of the law, you can contact the **Public Ethics Commission** for advice by phone at (510) 238-3593, by email (ethicscommission@oaklandnet.com), or in person (City Hall, Room 104). We are here to help you!