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CITY AND COUNTY OF SAN FRANCISCO

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LEEANN PELHAM
EXECUTIVE DIRECTOR

Date: March 12, 2018

To: Members, San Francisco Ethics Commission

From: Kyle Kundert, Senior Policy Analyst

Re: **Agenda Item 5 - Department of Public Works Statement of Incompatible Activities Amendments.**

Summary: This memorandum outlines and discuss proposed changes to the Department of Public Works Statement of Incompatible Activities.

Action Requested: Staff recommends that the Commission approve the changes to the Department of Public Works Statement of Incompatible Activities.

The Department of Public Works ("DPW") has asked that its Statement of Incompatible Activities ("SIA") be amended to clarify certain of its provisions and to ensure that the SIA reflects DPW's policies. A representative of the department will attend the Commission's March 16, 2018 meeting to discuss the changes and answer questions from the Commission. Because staff believes that the changes are in line with the requirements in Campaign and Governmental Conduct Code ("Code") Section 3.218 and reflect current DPW policies to provide clearer guidance to its employees, staff recommends that the Commission approve the changes.

I. Background

Each City department has an SIA that identifies outside activities that are inconsistent, incompatible, or in conflict with the duties of the officers and employees of a City department, board, commission or agency. The SIAs, adopted by the Ethics Commission after extensive meetings with City employee labor unions, have the force of law, just as if they were codified in a conflict-of-interest ordinance.¹

¹ See San Francisco Campaign and Governmental Conduct Code § 3.218. The voters adopted section 3.218 as part of Proposition E in November 2003. That measure required all City departments to submit draft SIAs to the Ethics Commission for consideration by August 2004. Based on feedback from the Civil Service Commission, which held hearings on the SIAs from 2004—2006, the Commission adopted a template—which it amended several times—that sets forth standard language to be included in every department, board and commission's SIA. Between February 2006 and September 2008, the Ethics Commission held hearings to approve the SIAs for all the City's departments, boards and commissions. Throughout the process, the Commission's staff and the DHR invited every City employee union to

In addition to listing outside activities that are incompatible, inconsistent, or in conflict with each department's mission, each SIA also states that no officer or employee may:

- use City resources for non-City purposes;
- sell, use or publish, without appropriate authorization, non-public materials prepared on City time or while using City property;
- use his or her City title or designation in any communication for private gain or advantage; or
- receive any gift for doing his or her job.

During the development of the SIAs, the Ethics Commission invited departments to propose their own provisions to govern only their officers and employees. Representatives of each department met with Ethics staff in crafting these provisions, and, in general, staff deferred to the departments in identifying issues that required special language in the SIAs. Each SIA was required to meet and confer with the unions prior to final approval of each SIA by the Ethics Commission.

Under section 3.218, the Ethics Commission may amend any department's SIA. Prior to the Commission's final amendment of any SIA that would affect officers or employees represented by a union, representatives of the City, on behalf of the Ethics Commission, must meet and confer with unions that represent the affected officers or employees.² Following that meet-and-confer process, the Commission must hold a hearing to consider each proposed amendment after providing appropriate notice to the department, the affected unions and the Civil Service Commission.

All of the unions that represent employees at DPW and the Civil Service Commission have been notified of the meeting. DPW represented the City in discussions with the unions and has already notified the affected unions about the proposed amendments and the ability to meet and confer. The Commission may approve the amendments at its March 16, 2018 meeting. Within two business days of such approval, the Executive Director must provide to the department a copy of the final version of the approved SIA.

II. Explanation for the Proposed Amendments

DPW states that the revisions are intended to do the following:

- Track existing department policy;
- Track existing City law and policy;
- Track language previously approved in other departments SIA's; and
- Provide clarity and understanding for impacted officers and employees of the department.

attend meet and confer discussions regarding template and department-specific language. The staff held dozens of meetings with unions between October 2006 and March 2008. The Commission finally approved the last of the SIAs at its meeting on September 8, 2008, and all of the SIAs took effect 30 days later, on October 8, 2008.

² See Ethics Commission Regulations Related to Conflicts of Interest ("EC Reg.") Regulation 3.218-1(d).

DPW adds that the proposed revisions to SIA are consistent with the Civil Service Rules, City laws and DPW policy.

DPW summarizes their explanation for the proposed changes as the following:

Amendment A. Section II (Mission Statement) – This has been updated to reflect the version now in use by Public Works.

Amendment B. Section III (Restriction on Incompatible Activities) – One sentence was added to make it clear that work performed on behalf of non-profit charitable organizations is not generally prohibited. The language is the same as that of previously approved SIAs in use by the Department of Building Inspection and the Planning Department.

Amendment C. Section III(A)1 (Activities that Conflict with Official Duties) – This section was previously reserved and not in use. The proposed addition is nearly identical to language in previously approved SIAs in use by the Department of Building Inspection and the Planning Department.

Amendment D. Section III(A)3(a) (Assistance in Responding to City Bids) – Language currently in use by the Department of Building Inspection and the Planning Department is added to clarify that employees are prohibited from providing selective assistance to non-profits for which they volunteer.

Amendment E. Section III(C)3 (Advance Written Determination) – One paragraph is added to specify that before a request goes to the director for a final determination, it must be reviewed by the employee's bureau or division manager, then GSA-HR. This is already departmental policy and the addition incorporates the existing language in Public Works Procedures 02-01-04 and 03-02-06, and Civil Service Commission Rule 118.

III. Department of Public Works Statement of Incompatible Activities Proposed Amendments

The proposed amendments to DPW's SIA, aside from minor grammatical changes, primarily appear in section III, which sets forth restrictions on incompatible activities of DPW officers and employees. The new provisions are stated below in ***bold italic text***; proposed deletions are set forth in ***strike-through*** text.

A. Amendment to Section II: Mission of San Francisco Public Works

Current Language:

The mission of the Department of Public Works is to provide for the safe and clean operation and maintenance of city streets; to design, construct and maintain City-owned facilities; and to enforce streets and sidewalk codes.

Amended Language:

~~The mission of the Department of Public Works is to provide for the safe and clean operation and maintenance of city streets; to design, construct and maintain City-~~

~~owned facilities; and to enforce streets and sidewalk codes.~~ **The mission of San Francisco Public Works is to care for and build the City's assets for the people of San Francisco.**

B. Amendment to Section III: Restrictions on Incompatible Activities

Current Language:

This section prohibits outside activities, including self-employment, that are incompatible with the mission of the department. Under subsection C, an officer or employee may seek an advance written determination whether a proposed outside activity is incompatible and therefore prohibited by this statement. Outside activities other than those expressly identified here may be determined to be incompatible and therefore prohibited. For an advance written determination request from an employee, if the director delegates the decision-making to a designee and if the designee determines that the proposed activity is incompatible under this statement, the employee may appeal that determination to the director.

Amended Language:

This section prohibits outside activities, including self-employment, that are incompatible with the mission of the department. Under subsection C, an officer or employee may seek an advance written determination whether a proposed outside activity is incompatible and therefore prohibited by this statement. Outside activities other than those expressly identified here may be determined to be incompatible and therefore prohibited. For an advance written determination request from an employee, if the director delegates the decision-making to a designee and if the designee determines that the proposed activity is incompatible under this statement, the employee may appeal that determination to the director. **Nothing in this statement shall be construed to restrict an officer's or employee's ability to perform volunteer functions with non-profit charitable organizations as long as those volunteer functions do not conflict with official duties, require excessive time demands or are subject to the review of the department, as defined in this section.**

C. Amendment to Section III: Restrictions on Incompatible Activities; Restrictions that Apply to All Officers and Employees; Activities that Conflict With Official Duties

Current Language:

[RESERVED]

Amended Language:

a. No officer or employee may provide services in exchange for compensation or anything of value worth more than \$100 per occasion or more than \$500 in a calendar year from any individual or entity that has an application or matter under review

before Public Works or has had an application or matter under review before Public Works in the preceding 12 month period. In addition, no officer or employee may provide construction, permit or inspection-related services in exchange for any compensation or anything of value from any individual or entity that has a pending application or matter under review before the department or has had an application or matter under review before the department in the preceding 12-month period. For the purpose of this section, an individual or entity includes a property owner, architect, designer, developer, engineer, contractor, permit expediter, and associations of such individuals or entities. For the purpose of this section, compensation or anything of value includes construction materials (new and salvage), a loan or below-market rental of construction tools or equipment, and free or below-market-rate services from an architect, designer, developer, engineer, contractor, permit expediter, real estate agent or other individual or entity that is regulated by Public Works.

Example. A department employee is a musician who often plays for compensation on weekends. An individual who has a permit pending at the department wishes to hire her to play music at an event. The employee may accept the engagement as long as she is not paid more than \$100 at the event.

Example. A department employee is a puppeteer who entertains at birthday parties. An entity that does not have a permit pending at the department and did not have a permit pending during the past 12 months wishes to hire him to entertain at a weekend event. The employee may accept the engagement.

Example. A department employee who is an engineer has been asked to provide engineering services to an entity that has a permit pending at the department. Without an advance written determination pursuant to subsection C that such an activity is not incompatible, the employee may not provide such services.

b. No officer or employee may provide services or information related to the operations or duties of the department to any individual or entity if the services or information is not available to other members of the public on the same terms (regardless of whether the services or information is provided in exchange for compensation/any material benefit).

c. No officer or employee may utilize non-public information, obtained through the course of his or her public duties, to purchase or invest in real property located within the City and County of San Francisco.

- D. Amendment to Section III: Restrictions on Incompatible Activities; Restrictions That Apply To All Officers And Employees; Activities That Are Subject To Review By The Department

Current Language:

a. Assistance in Responding to City Bids, RFQs and RFPs. No officer or employee may knowingly provide selective assistance (i.e., assistance that is not generally available to all competitors) to individuals or entities in a manner that confers a competitive advantage on a bidder or proposer who is competing for a City contract. Nothing in this Statement prohibits an officer or employee from providing general information about a bid for a City contract, a Department Request for Qualifications or Request for Proposals or corresponding application process that is available to any member of the public. Nothing in this Statement prohibits an officer or employee from speaking to or meeting with individual applicants regarding the individual's application, provided that such assistance is provided on an impartial basis to all applicants who request it.

Amended Language:

a. Assistance in responding to City bids, RFQs and RFPs. No officer or employee may knowingly provide selective assistance (i.e., assistance that is not generally available to all competitors) to individuals or entities, ***including non-profit entities for whom an officer or employee volunteers***, in a manner that confers a competitive advantage on a bidder or proposer who is competing for a City contract. Nothing in this statement prohibits an officer or employee from providing general information about a bid for a City contract, a department request for qualifications or request for proposals, or corresponding application process that is available to any member of the public. Nothing in this statement prohibits an officer or employee from speaking to or meeting with individual applicants regarding the individual's application, provided that such assistance is provided on an impartial basis to all applicants who request it.

E. Amendment to Section III: Restrictions On Incompatible Activities; Advance Written Determination; The Process

Current Language:

The requestor must provide, in writing, a description of the proposed activity and an explanation of why the activity is not incompatible under this Statement. The written material must describe the proposed activity in sufficient detail for the decision-maker to make a fully informed determination whether it is incompatible under this Statement.

Amended Language:

The requestor must provide, in writing, a description of the proposed activity and an explanation of why the activity is not incompatible under this Statement. The written material must describe the proposed activity in sufficient detail for the decision-maker to make a fully informed determination whether it is incompatible under this Statement.

The request must first be reviewed by the employee's direct bureau or division manager. If the manager approves of the proposed activity, s/he will forward it to GSA Human Resources for review. If approved by GSA HR, the director or his/her designee will review the request and make the final determination.

IV. SIA Amendment Meet and Confer Requirement

On January 26, 2018, DPW notified the unions that represent its employees (a list of the impacted unions is attached) of the proposed changes to the SIA and invited them to meet and confer with DPW to discuss any questions, comments or concerns they may have.³ A representative from SEIU Local 1021 said he had no questions at this time. A representative from IFPTE Local 21 asked for a redlined version showing changes, which Mr. Steinberg provided. Mr. Steinberg sent a follow-up email and letters to the impacted unions on February 26, 2018, asking for any further response and noticing those unions that the Ethics Commission may act on the issue at their March 16, 2018 meeting. The remaining unions did not respond and expressed no concern about the proposed changes. Mr. Steinberg, on behalf of DPW, sent Staff, on March 5, 2018, a letter outlining DPW's outreach efforts and confirming that no additional comment or request for meet and confer had been received.⁴

V. Staff Recommendation

Ethics Commission Staff finds that the proposed amendments to DPW's SIA are consistent with the purpose and intent of the San Francisco Government Ethics Ordinance.⁵ In particular, the proposed amendments reinforce the principal that the proper operation of the government of the City and County of San Francisco requires that public officers and employees be independent, impartial, and responsible to the people and that public office and employment not be used for personal gain. The proposed amendments provide clarification and necessary updates based on changes that have already occurred in DPW's internal policies, Civil Service rules, and City law. Furthermore, the proposed changes are already in place and have been affirmed by the Commission for several other agencies. The proposed changes reflect conformance with City law and advance the principle that government decisions of officers and employees of the City and County should be, and should appear to be, made on a fair and impartial basis.

For the reasons set forth above, Staff recommends that the Commission approve the proposed amendments to the SIA of DPW.

³ See attached notice sent to the unions from David A. Steinberg.

⁴ See attached letter from David A. Steinberg confirming conformance with meet and confer notice and request for comment.

⁵ SF C&GCC Section 3.200 et seq.

ATTACHMENT 1



**Notice of Proposed Amendment to Department of Public Works (DPW)
Statement of Incompatible Activities**

March 8, 2018

The San Francisco Ethics Commission ("Commission"), under the authority vested in it under the San Francisco Government Ethics Ordinance Section 3.218, will consider the proposed amendments to the San Francisco Department of Public Works Statement of Incompatible Activities at a public hearing on March 16, 2018 at San Francisco City Hall, Room 416, 1 Dr. Carlton B. Goodlett Place, San Francisco, commencing at approximately 2 p.m.

Background

The Department of Public Works ("DPW") has asked that its Statement of Incompatible Activities ("SIA") be amended to clarify certain of its provisions and to ensure that the SIA reflects DPW's policies and practices and the requirements contained in City law. A representative of the department will attend the Commission's March 16, 2018 meeting to discuss the changes and answer questions from the Commission. Any union impacted by the proposed amendments may attend and make a presentation regarding the proposed amendments. Written comments must be received at the Commission offices no later than 5:00 p.m. on March 15, 2018. *See San Francisco Regulation 3.218-1(c)* for the hearing requirement for amending a department's SIA.

Each City department has an SIA that identifies outside activities that are inconsistent, incompatible, or in conflict with the duties of the officers and employees of a City department, board, commission or agency. The SIAs, adopted by the Ethics Commission after extensive meetings with City employee labor unions, have the force of law, just as if they were codified in a conflict-of-interest ordinance.

Supporting Materials

- Summary of Proposed Changes
- Statement of Incompatible Activities – Changes Highlighted
- Union Contact List

ATTACHMENT 2



TO: San Francisco Ethics Commission
FROM: Mohammed Nuru, Director, San Francisco Public Works
SUBJECT: Proposed revisions to Statement of Incompatible Activities
DATE: January 29, 2018

Mark Farrell
Mayor

Mohammed Nuru
Director

San Francisco Public Works
1 Dr. Carlton B. Goodlett Pl.
Room 348
San Francisco, CA 94102
tel 415-554-6920

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

Attached is a revised version of the San Francisco Public Works Statement of Incompatible Activities for your consideration and approval. Aside from minor changes in grammar and punctuation, and to ensure the statement conforms to the department's style guidelines, the following substantive changes are proposed:

1. Section II (mission statement) – This has been updated to reflect the version now in use by Public Works.
2. Section III (restriction on incompatible activities) – One sentence was added to make it clear that work performed on behalf of non-profit charitable organizations is not generally prohibited. The language is the same as that of previously approved SIAs in use by the Department of Building Inspection and the Planning Department.
3. Section III(A)1 (activities that conflict with official duties) – This section was previously reserved and not in use. The proposed addition is nearly identical to language in previously approved SIAs in use by the Department of Building Inspection and the Planning Department.
4. Section III(A)3(a) (assistance in responding to city bids) – Language currently in use by the Department of Building Inspection and the Planning Department is added to clarify that employees are prohibited from providing selective assistance to non-profits for which they volunteer.
5. Section III(C)3 (advance written determination) – One paragraph is added to specify that before a request goes to the director for a final determination, it must be reviewed by the employee's bureau or division manager, then GSA-HR. This is already departmental policy and the addition incorporates the existing language in Public Works Procedures 02-01-04 and 03-02-06, and Civil Service Commission Rule 118.

ATTACHMENT 3



SAN FRANCISCO PUBLIC WORKS

STATEMENT OF INCOMPATIBLE ACTIVITIES

Mohammed Nuru
Director

San Francisco Public Works
1 Dr. Carlton B. Goodlett Pl.
Room 348
San Francisco, CA 94102
tel 415-554-6920

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

I. INTRODUCTION

This Statement of Incompatible Activities is intended to guide officers and employees of San Francisco Public Works (“the department”) about the kinds of activities that are incompatible with their public duties and therefore prohibited. For the purposes of this statement; and except where otherwise provided, “officer” shall mean the executive director (“director”); and “employee” shall mean all employees of the department.

This statement is adopted under the provisions of San Francisco Campaign & Governmental Conduct Code (“C&GC Code”) section 3.218. Engaging in the activities that are prohibited by this statement may subject an officer or employee to discipline, up to and including possible termination of employment or removal from office, as well as to monetary fines and penalties. (C&GC Code§ 3.242; Charter§ 15.105.) Before an officer or employee is subjected to discipline or penalties for violation of this statement, the officer or employee will have an opportunity to explain why the activity should not be deemed to be incompatible with his or her City duties. (C&GC Code § 3.218.) Nothing in this document shall modify or reduce any due process rights provided pursuant to the officer’s or employee’s collective bargaining agreement.

In addition to this statement, officers and employees are subject to department policies, state and local laws, and rules governing the conduct of public officers and employees, including but not limited to:

- Political Reform Act, California Government Code§ 87100 *et seq.*;
- California Government Code § 1090;
- San Francisco Charter;
- San Francisco Campaign and Governmental Conduct Code;
- San Francisco Sunshine Ordinance;
- Applicable civil service rules; and
- Department policies and procedures.

Nothing in this statement shall exempt any officer or employee from applicable provisions of law, or limit his or her liability for violations of law. Examples provided in this statement are for illustration purposes only and are not intended to limit application of this statement. Nothing in this statement shall interfere with the rights of employees under a collective bargaining agreement or memorandum of understanding applicable to that employee.

Nothing in this statement shall be construed to prohibit or discourage any City officer or employee from bringing to the City’s and/or public’s attention matters of actual or perceived malfeasance or misappropriation in the conduct of City

business, or from filing a complaint alleging that a City officer or employee has engaged in improper governmental activity by violating local campaign finance, lobbying, conflicts of interest or governmental ethics laws, regulations or rules; violating the California Penal Code by misusing City resources; creating a specified and substantial danger to public health or safety by failing to perform duties required by the officer's or employee's City position; or abusing his or her City position to advance a private interest.

No amendment to any Statement of Incompatible Activities shall become operative until the City and County has satisfied the meet and confer requirements of state law and the collective bargaining agreement.

If an employee has questions about this statement, the questions should be directed to the employee's supervisor or to the director. Similarly, questions about other applicable laws governing the conduct of public employees should be directed to the employee's supervisor or the director, although the supervisor or director may determine that the question must be addressed to the Ethics Commission or city attorney. Employees may also contact their unions for advice or information about their rights and responsibilities under these and other laws.

If a City officer has questions about this statement, the questions should be directed to the officer's appointing authority, the Ethics Commission or the city attorney.

II. MISSION OF SAN FRANCISCO PUBLIC WORKS

The mission of San Francisco Public Works is to care for and build the City's assets for the people of San Francisco.

III. RESTRICTIONS ON INCOMPATIBLE ACTIVITIES

This section prohibits outside activities, including self-employment, that are incompatible with the mission of the department. Under subsection C, an officer or employee may seek an advance written determination whether a proposed outside activity is incompatible and therefore prohibited by this statement. Outside activities other than those expressly identified here may be determined to be incompatible and therefore prohibited. For an advance written determination request from an employee, if the director delegates the decision-making to a designee and if the designee determines that the proposed activity is incompatible under this statement, the employee may appeal that determination to the director. Nothing in this statement shall be construed to restrict an officer's or employee's ability to perform volunteer functions with non-profit charitable organizations as long as those volunteer functions do not conflict with official duties, require excessive time demands or are subject to the review of the department, as defined in this section.

A. RESTRICTIONS THAT APPLY TO ALL OFFICERS AND EMPLOYEES

1. ACTIVITIES THAT CONFLICT WITH OFFICIAL DUTIES

No officer or employee may engage in an outside activity (regardless of whether the

activity is compensated) that conflicts with his or her City duties. An outside activity conflicts with City duties when the ability of the officer or employee to perform the duties of his or her City position is materially impaired. Outside activities that materially impair the ability of an officer or employee to perform his or her City duties include, but are not limited to, activities that disqualify the officer or employee from City assignments or responsibilities on a regular basis. Unless (a) otherwise noted in this section or (b) an advance written determination under subsection C concludes that such activities are not incompatible, the following activities are expressly prohibited by this section:

- a. No officer or employee may provide services in exchange for compensation or anything of value worth more than \$100 per occasion or more than \$500 in a calendar year from any individual or entity that has an application or matter under review before Public Works or has had an application or matter under review before Public Works in the preceding 12 month period. In addition, no officer or employee may provide construction, permit or inspection-related services in exchange for any compensation or anything of value from any individual or entity that has a pending application or matter under review before the department or has had an application or matter under review before the department in the preceding 12-month period. For the purpose of this section, an individual or entity includes a property owner, architect, designer, developer, engineer, contractor, permit expediter, and associations of such individuals or entities. For the purpose of this section, compensation or anything of value includes construction materials (new and salvage), a loan or below-market rental of construction tools or equipment, and free or below-market-rate services from an architect, designer, developer, engineer, contractor, permit expediter, real estate agent or other individual or entity that is regulated by Public Works.

Example. A department employee is a musician who often plays for compensation on weekends. An individual who has a permit pending at the department wishes to hire her to play music at an event. The employee may accept the engagement as long as she is not paid more than \$100 at the event.

Example. A department employee is a puppeteer who entertains at birthday parties. An entity that does not have a permit pending at the department and did not have a permit pending during the past 12 months wishes to hire him to entertain at a weekend event. The employee may accept the engagement.

Example. A department employee who is an engineer has been asked to provide engineering services to an entity that has a permit pending at the department. Without an advance written determination pursuant to subsection C that such an activity is not incompatible, the employee may not provide such services.

- b. No officer or employee may provide services or information related to the operations or duties of the department to any individual or entity if the services or information is not available to other members of the public on the same terms (regardless of whether the services or information is provided in exchange for compensation/any material benefit).
- c. No officer or employee may utilize non-public information, obtained through the

course of his or her public duties, to purchase or invest in real property located within the City and County of San Francisco.

2. ACTIVITIES WITH EXCESSIVE TIME DEMANDS

Neither the director nor any employee may engage in outside activity (regardless of whether the activity is compensated) that would cause the director or employee to be absent from his or her assignments on a regular basis, or otherwise require a time commitment that is demonstrated to interfere with the director's or employee's performance of his or her City duties.

Example. An employee who works at the department's front desk answering questions from the public wants to take time off every Tuesday and Thursday from 2:00 to 5:00 to coach soccer. Because the employee's duties require the employee to be at the department's front desk during regular business hours, and because this outside activity would require the employee to be absent from the office during regular business hours on a regular basis, the director or his/her designee may, pursuant to subsection C, determine that the employee may not engage in this activity.

3. ACTIVITIES THAT ARE SUBJECT TO REVIEW BY THE DEPARTMENT

Unless (a) otherwise noted in this section or (b) an advance written determination under subsection C concludes that such activities are not incompatible, no officer or employee may engage in an outside activity (regardless of whether the activity is compensated) that is subject to the control, inspection, review, audit or enforcement of the department. In addition to any activity permitted pursuant to subsection C, nothing in this subsection prohibits the following activities: appearing before one's own department on behalf of oneself; filing or otherwise pursuing claims against the City on one's own behalf; running for City elective office; or making a public records disclosure request pursuant to the Sunshine Ordinance or Public Records Act. Unless (a) otherwise noted in this section or (b) an advance written determination under subsection C concludes that such activities are not incompatible, the following activities are expressly prohibited by this section:

- a. Assistance in responding to City bids, RFQs and RFPs. No officer or employee may knowingly provide selective assistance (i.e., assistance that is not generally available to all competitors) to individuals or entities, **including non-profit entities for whom an officer or employee volunteers**, in a manner that confers a competitive advantage on a bidder or proposer who is competing for a City contract. Nothing in this statement prohibits an officer or employee from providing general information about a bid for a City contract, a department request for qualifications or request for proposals, or corresponding application process that is available to any member of the public. Nothing in this statement prohibits an officer or employee from speaking to or meeting with individual applicants regarding the individual's application, provided that such assistance is provided on an impartial basis to all applicants who request it.
- b. No officer or employee may be employed by, or receive compensation from, an individual or entity that has a contract with the department or that has had a

contract with the department during the past twelve months. This prohibition does not apply to employment of or compensation received by an officer's or employee's spouse or registered domestic partner.

- c. No officer or employee may serve as a member of the board of directors of an organization that applies for contracts, loans or grants administered by the department.

B. RESTRICTIONS THAT APPLY TO EMPLOYEES IN SPECIFIED POSITIONS

In addition to the restrictions that apply to all officers and employees of the department, unless (a) otherwise noted in this section or (b) an advance written determination under subsection C concludes that such activities are not incompatible, the following activities are expressly prohibited by this section for individual employees holding specific positions:

[RESERVED.]

C. ADVANCE WRITTEN DETERMINATION

As set forth below, an employee of the department or the director may seek an advance written determination whether a proposed outside activity conflicts with the mission of the department, imposes excessive time demands, is subject to review by the department, or is otherwise incompatible and therefore prohibited by section III of this statement. For the purposes of this section, an employee or other person seeking an advance written determination shall be called "the requestor"; the individual or entity that provides an advance written determination shall be called "the decision-maker."

1. PURPOSE

This subsection permits an officer or employee to seek an advance written determination regarding his or her obligations under subsections A or B of this section. A written determination by the decision-maker that an activity is not incompatible under subsection A or B provides the requestor immunity from any subsequent enforcement action for a violation of this statement if the material facts are as presented in the requestor's written submission. A written determination cannot exempt the requestor from any applicable law.

If an individual has not requested an advance written determination under subsection C as to whether an activity is incompatible with this statement, and the individual engages in that activity, the individual will not be immune from any subsequent enforcement action brought pursuant to this statement.

Similarly, if an individual has requested an advance written determination under

subsection C as to whether an activity is incompatible with this statement, and the individual engages in that activity, the individual will not be immune from any subsequent enforcement action brought pursuant to this statement if:

- a. the requestor is an *employee* who has not received a determination under subsection C from the decision-maker, and 20 working days have not yet elapsed since the request was made; or
- b. the requestor is an *officer* who has not received a determination under subsection C from the decision-maker; or
- c. the requestor has received a determination under subsection C that an activity is incompatible.

In addition to the advance written determination process set forth below, the San Francisco Charter also permits any person to seek a written opinion from the Ethics Commission with respect to that person's duties under provisions of the Charter or any City ordinance relating to conflicts of interest and governmental ethics. Any person who acts in good faith on an opinion issued by the commission and concurred in by the city attorney and district attorney is immune from criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request. Nothing in this subsection precludes a person from requesting a written opinion from the Ethics Commission regarding that person's duties under this statement.

2. THE DECISION-MAKER

Decision-maker for request by an employee: An employee of the department may seek an advance written determination from the director or his or her designee. The director or his or her designee will be deemed the decision-maker for the employee's request.

Decision-maker for request by the director: The director may seek an advance written determination from his or her appointing authority. The appointing authority will be deemed the decision-maker for the director's request.

3. THE PROCESS

The requestor must provide, in writing, a description of the proposed activity and an explanation of why the activity is not incompatible under this statement. The written material must describe the proposed activity in sufficient detail for the decision-maker to make a fully informed determination whether it is incompatible under this statement.

The request must first be reviewed by the employee's direct bureau or division manager. If the manager approves of the proposed activity, s/he will forward it to GSA Human Resources for review. If approved by GSA HR, the director or his/her designee will review the request and make the final determination.

When making a determination under this subsection, the decision-maker may consider any relevant factors including, but not limited to, the impact on the requester's ability to perform his or her job, the impact upon the department as a whole, compliance with applicable laws and rules, and the spirit and intent of this statement. The decision-maker shall consider all relevant written materials submitted by the requester. The decision-maker shall also consider whether the written material provided by the requestor is sufficiently specific and detailed to enable the decision-maker to make a fully informed determination. The decision-maker may request additional information from the requester if the decision-maker deems such information necessary. For an advance written determination request from an employee, if the director delegates the decision-making to a designee and if the designee determines that the proposed activity is incompatible under this statement, the employee may appeal that determination to the director.

The decision-maker shall respond to the request by providing a written determination to the requestor by mail, email, personal delivery or other reliable means. For a request by an employee, the decision-maker shall provide the determination within a reasonable period of time depending on the circumstances and the complexity of the request, but not later than 20 working days from the date of the request. If the decision-maker does not provide a written determination to the employee within 20 working days from the date of the employee's request, the proposed activity will be determined not to violate this statement.

The decision-maker may revoke the determination at any time based on changed facts or circumstances or other good cause, by providing advance written notice to the requestor. The written notice shall specify the changed facts or circumstances or other good cause that warrants revocation of the advance written determination. The decision-maker may revoke the written determination at any time by written notice, based on changed facts or circumstances or other good cause.

4. DETERMINATIONS ARE PUBLIC RECORDS

To assure that these rules are enforced equally, requests for advance written determinations and written determinations, including approvals and denials, are public records to the extent permitted by law.

IV. RESTRICTIONS ON USE OF CITY RESOURCES, CITY WORK-PRODUCT AND PRESTIGE

A. USE OF CITY RESOURCES

No officer or employee may use City resources, including, without limitation, facilities, telephone, computer, copier, fax machine, e-mail, internet access, stationery and supplies, for any non-City purpose, including any political activity or personal purpose. No officer or employee may allow any other person to use City resources, including, without limitation, facilities, telephone, computer, copier, fax machine, e-mail, internet access, stationery and supplies, for any non-City purpose, including any political activity or personal purpose.

Notwithstanding these general prohibitions, any incidental and minimal use of City resources does not constitute a violation of this section. Nothing in this subsection shall be interpreted or applied to interfere with, restrict or supersede any rights or entitlements of employees, recognized employee organizations, or their members under state law or regulation or pursuant to provisions of a collective bargaining agreement to use City facilities, equipment or resources, as defined herein.

Example. An officer or employee may use the telephone to make occasional calls to arrange medical appointments or speak with a child care provider, because this is an incidental and minimal use of City resources for a personal purpose.

Nothing in this statement shall exempt any officer or employee from complying with more restrictive policies of the department regarding use of City resources, including, without limitation, the department's e-mail policy.

B. USE OF CITY WORK-PRODUCT

No officer or employee may, in exchange for anything of value and without appropriate authorization, sell, publish or otherwise use any non-public materials that were prepared on City time or while using City facilities, property (including without limitation, intellectual property), equipment and/or materials. For the purpose of this prohibition, appropriate authorization includes authorization granted by law, including the Sunshine Ordinance, California Public Records Act, the Ralph M. Brown Act as well as whistleblower and improper government activities provisions, or by a supervisor of the officer or employee, including but not limited to the officer's or employee's appointing authority. Nothing in this subsection shall be interpreted or applied to interfere with, restrict or supersede any rights or entitlements of employees, recognized employee organizations, or their members under state law or regulation or pursuant to provisions of a collective bargaining agreement to use public materials for collective bargaining agreement negotiations.

C. USE OF PRESTIGE OF THE OFFICE

No officer or employee may use his or her City title or designation in any communication for any private gain or advantage. The following activities are expressly prohibited by this section.

1. USING CITY BUSINESS CARDS

No officer or employee may use his or her City business cards for any purpose that may lead the recipient of the card to think that the officer or employee is acting in an official capacity when the officer or employee is not.

Example of inappropriate use. An employee's friend is having a dispute with his new neighbor who is constructing a fence that the

friend believes encroaches on his property. The friend invites the employee over to view the disputed fence. When the neighbor introduces herself, the employee should not hand the neighbor her business card while suggesting that she could help resolve the dispute. Use of a City business card under these circumstances might lead a member of the public to believe that the employee was acting in an official capacity.

Example of acceptable use. An employee is at a party and runs into an old friend who has just moved to town. The friend suggests meeting for dinner and asks how to get in touch with the employee to set up a meeting time. The employee hands the friend the employee's business card and says that he can be reached at the number on the card. Use of a City business card under these circumstances would not lead a member of the public to believe that the employee was acting in an official capacity. Nor would use of the telephone to set up a meeting time constitute a misuse of resources under subsection A, above.

2. USING CITY LETTERHEAD, CITY TITLE OR E-MAIL

No officer or employee may use City letterhead, City title, City e-mail or any other City resource for any communication that may lead the recipient of the communication to think that the officer or employee is acting in an official capacity when the officer or employee is not. (Use of e-mail or letterhead in violation of this section could also violate subsection A of this section, which prohibits use of these resources for any non-City purpose.)

Example. An officer or employee is contesting a parking ticket. The officer or employee should not send a letter on City letterhead to the office that issued the ticket contesting the legal basis for the ticket.

3. HOLDING ONESELF OUT, WITHOUT AUTHORIZATION, AS A REPRESENTATIVE OF THE DEPARTMENT

No officer or employee may hold himself or herself out as a representative of the department, or as an agent acting on behalf of the department, unless authorized to do so.

Example. An employee who lives in San Francisco wants to attend a public meeting of a commission that is considering a land use matter that will affect the employee's neighborhood. The employee may attend the meeting and speak during public comment, but should make clear that he is speaking in his private capacity and not as a representative of the department.

V. PROHIBITION ON GIFTS FOR ASSISTANCE WITH CITY SERVICES

State and local law place monetary limits on the value of gifts an officer or employee may accept in a calendar year. (Political Reform Act, Gov't Code§ 89503, C&GC Code§§ 3.1- 101 and 3.216.) This section imposes additional limits by prohibiting an officer or employee from accepting any gift that is given in exchange for doing the officer's or employee's City job.

No officer or employee may receive or accept gifts from anyone other than the City for the performance of a specific service or act the officer or employee would be expected to render or perform in the regular course of his or her City duties; or for advice about the processes of the City directly related to the officer's or employee's duties and responsibilities, or the processes of the entity they serve.

Example. A member of the public who regularly works with and receives assistance from the department owns season tickets to the Giants and sends a pair of tickets to an employee of the department in appreciation for the employee's work. Because the gift is given for the performance of a service the employee is expected to perform in the regular course of City duties, the employee is not permitted to accept the tickets.

Example. A member of the public requests assistance in resolving an issue or complaint that is related to the City and County of San Francisco, but that does not directly involve the department. The employee directs the member of the public to the appropriate department and officer to resolve the matter. The member of the public offers the employee a gift in appreciation for this assistance. The employee may not accept the gift, or anything of value from anyone other than the City, for providing this kind of assistance with City services.

As used in this statement, the term gift has the same meaning as under the Political Reform Act, including the Act's exceptions to the gift limit. (See Gov't Code§§ 82028, 89503; 2 Cal. Code Regs. §§ 18940-18950.4.) For example, under the act, a gift that, within 30 days of receipt, is returned or donated by the officer or employee to a 501(c)(3) organization or federal, state or local government without the officer or employee taking a tax deduction for the donation, will not be deemed to have been accepted. In addition to the exceptions contained in the act, nothing in this statement shall preclude an employee's receipt of a bona fide award, or free admission to a testimonial dinner or similar event, to recognize exceptional service by that employee, and which is not provided in return for the rendering of service in a particular matter. Such awards are subject to the limitation on gifts imposed by the Political Reform Act and local law.

In addition, the following gifts are de minimis and therefore exempt from the restrictions on gifts imposed by section V of this statement:

- i. Gifts, other than cash, with an aggregate value of \$25 or less per occasion; and
- ii. Gifts such as food and drink, without regard to value, to be shared in the office among officers or employees.

Example. A member of the public who regularly works with and receives assistance from the department sends a \$15 basket of fruit to an employee as a holiday gift.

Although the fruit may in fact be offered in exchange for performing services that the employee is expected to perform in the regular course of City duties, the employee may accept the fruit because the value is de minimis. (Because the reporting requirement is cumulative, an employee may be required to report even de minimis gifts on his or her Statement of Economic Interests if, over the course of a year, the gifts equal or exceed \$50.)

Example. A member of the public who regularly works with and receives assistance from the department sends a \$150 basket of fruit to the department as a holiday gift. Although the fruit may in fact be offered in exchange for performing services that the department is expected to perform in the regular course of City duties, the department may accept the fruit basket because it is a gift to the office to be shared among officers and employees.

VI. AMENDMENT OF STATEMENT

Once a Statement of Incompatible Activities is approved by the Ethics Commission, the department may, subject to the approval of the Ethics Commission, amend the statement. (C&GC Code § 3.218(b).) In addition, the Ethics Commission may at any time amend the statement on its own initiative. No Statement of Incompatible Activities or any amendment thereto shall become operative until the City and County of San Francisco has satisfied the meet and confer requirements of state law and the collective bargaining agreement.

ATTACHMENT 4

Public Works Union Contact List as of 1/18/2018

Union	Main Office Address	Main Office Phone/Fax
Building Inspectors (Teamsters 856)	453 San Mateo Avenue, San Bruno, CA 94066	800-758-8326 / 650-635-1632
	Representative	
	Linda Shipley, Staff Attorney	lshipley@ibt856.org
Local 21	1167 Mission Street, 2nd Floor, SF, CA 94103	415-864-2100 / 415-864-2166
	Representative	
	Katherine General	kgeneral@ifpte21.org / 415-760-0084
	Paul Kim	pkim@ifpte21.org
	Ken Thorbourne	kthorbourne@ifpte21.org
MEA	870 Market Street, Suite 840, SF CA 94102	415-989-7244 / 415-989-7077
	Representatives	
	Raquel Silva	raquel@sfmea.com
Teamsters 853	7750 Pardee Lane, Oakland, CA 94621	510-895-8853 / 510-895-6853
	Representatives	
	Dan Harrington	dharrington@teamsters853.org; 510-915-6427
Painters	P.O. Box 426767, San Francisco, CA 94142	cityworker@sfcwu.org / 415-574-1774
SEIU 1021	350 Rhode Island Street, Ste 100, SF, CA 94103	415-848-3611
	Representatives	
	Dennis Wong	Dennis.Wong@seiu1021.org / 415-216-9030
	David Mulvey	david.mulvey@seiu1021.org
Local 261 (Laborers)	3271 18th Street, SF, CA 94110	415-826-4550 / 415-826-1948
	Representatives	
	Theresa Foglio	laborers261@gmail.com / (415) 823-7566
	Vince Courtney	vincecourtney1@gmail.com / 415-810-4500
Local 3 (Bricklayers and Allied Crafts)	10806 BIGGE ST., SAN LEANDRO, CA 94577	510-632-8781 / 510-632-8261
		Staff@BAC3-brickbenefits.org
Local 38 (Plumbers)	1621 Market Street, San Francisco, CA 94103	4156262000 / 4156262009
	Representative	
	John Chiarenza	jchiarenza@ualocal38.org
Local 39 (Stationary Engineers)	337 Valencia Street, San Francisco, CA 94103	415-861-113; 415-861-564
Local 6 (Electrical Workers)	55 Fillmore Street, San Francisco CA 94117	415 861-5752 / 415-861-0734
	Representative	
	Osha Ashworth	oashworth@ibew6.org
Local 166 (Hodcarriers)	4909 Railroad Flat Rd, Mountain Ranch, CA 95246	209-754-9966 / 209-754-9977
		MARK-IA166@SBCGLOBAL.NET
Local 22 (Carpenters)	2085 3rd Street, San Francisco, CA 94107	415-355-1322 / 415-355-1422
		info@local22.org
Local 12 (Carpet, Linoleum, Soft Tile Workers)	555 De Haro Street, Ste 280B, San Francisco, CA 94107	415-701-1112
Local 300 (Cement Masons)	8400 Enterprise Wsy, #111. Oakland, CA 94621	510-430-9492 / 510-430-9183
Local 718 (Glaziers)	80 Carolina Street, San Francisco, CA 94103	415-864-7181
Local 66 (Plasterers and Shophands)	39 S Linden Avenue, South San Francisco, CA 94080	650-872-8922
Local 40 (Roofers, Waterproofers and Allied Workers)	150 Executive Park Blvd, Suite 3625, San Francisco, CA 94134	415-508-0261 / 415-508-0321
		brucelau@rooferslocal40.org
Local 104 (Sheet Metal Workers)	1939 Market, Street, San Francisco, CA 94103	415-431-1677

ATTACHMENT 5



Mark Farrell
Mayor

Mohammed Nuru
Director

San Francisco Public Works
1 Dr. Carlton B. Goodlett Pl.
Room 348
San Francisco, CA 94102
tel 415-554-6920

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

March 5, 2018

I am writing to confirm that on Jan. 26, 2018, I sent notification to all of the unions that represent Public Works employees (as identified by GSA-Human Resources in the attached spreadsheet) that the department has submitted a proposed revision of its Statement of Incompatible Activities to the San Francisco Ethics Commission.

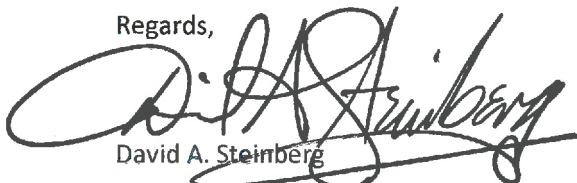
Attached are PDFs of an email sent that day to those unions that provided email contact information, along with a PDF of a printed letter that I mailed to the other unions on the list. Please note that because some of the contact information that had been provided was incorrect, separate emails were sent to the Teamsters Local 853 on Jan. 29, and Carpet, Linoleum, Soft Tile Workers Local 12 and Glaziers Local 718 on Feb. 20.

I received two replies to my letter:

- A representative from SEIU Local 1021 said he had no questions at this time.
- A representative from IFPTE Local 21 asked for a redlined version showing changes, which I provided.

I sent a follow-up letter to all of the unions on Feb. 26 soliciting feedback and questions. Included in the letter was a copy of the revised SIA with proposed changes redlined as well as notification that the Ethics Commission was likely to consider the changes at its March 16 meeting. Attached are copies of both the email and printed versions of the letters. I have received no response to the second letter.

Regards,



David A. Steinberg
Executive Assistant to the Director
San Francisco Public Works

Public Works Union Contact List as of 1/18/2018

Union	Main Office Address	Main Office Phone/Fax
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	Katherine General	kgeneral@ifpte21.org / 415-760-0084
	Paul Kim	pkim@ifpte21.org
	Ken Thorbourne	kthorbourne@ifpte21.org
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	Representatives	
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	Representative	
	John Chiarenza	jchiarenza@ualocal38.org
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Local 6 (Electrical Workers)	55 Fillmore Street, San Francisco CA 94117	415 861-5752 / 415-861-0734
	Representative	
		oashworth@ibew6.org
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Local 12 (Carpet, Linoleum, Soft Tile Workers)	1939 Market, Street, San Francisco, CA 94103	415-625-0225; tony@dc16.us
Local 300 (Cement Masons)	8400 Enterprise Wsy, #111. Oakland, CA 94621	510-430-9492 / 510-430-9183
Local 718 (Glaziers)	1939 Market, Street, San Francisco, CA 94103	415-625-0225; bart@dc16.us
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tel 415-554-6920

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

Local 12, Carpet, Linoleum, Soft Tile Workers
555 De Haro St., ste. 280B
San Francisco, CA 94107

I am writing to let you know that the department is submitting to the San Francisco Ethics Commission proposed revisions to its Statement of Incompatible Activities. As a union that represents employees affected by the proposed changes, the commission requires that you be notified of these changes. A copy of the revised SIA is attached.

Aside from minor changes in grammar and punctuation, and to ensure the statement conforms to the department's style guidelines, there are a few substantive changes being proposed. We don't anticipate any objections, however, because these all follow language that is identical or nearly identical to policies already in place either by San Francisco Public Works or other City departments. Specifically, the following changes are proposed:

1. Section II (mission statement) – This has been updated to reflect the version now in use by Public Works.
2. Section III (restriction on incompatible activities) – One sentence was added to make it clear that work performed on behalf of non-profit charitable organizations is not generally prohibited. The language is the same as that of previously approved SIAs in use by the Department of Building Inspection and the Planning Department.
3. Section III(A)1 (activities that conflict with official duties) – This section was previously reserved and not in use. The proposed addition is nearly identical to language in previously approved SIAs in use by the Department of Building Inspection and the Planning Department.
4. Section III(A)3(a) (assistance in responding to city bids) – Language currently in use by the Department of Building Inspection and the Planning Department is added to clarify that employees are prohibited from providing selective assistance to non-profits for which they volunteer.
5. Section III(C)3 (advance written determination) – One paragraph is added to specify that before a request goes to the director for a final determination, it must be reviewed by the employee's bureau or division manager, then GSA-HR. This is already departmental policy and the addition incorporates the existing language in Public Works Procedures 02-01-04 and 03-02-06, and Civil Service Commission Rule 118.

If you have any questions or concerns about these proposed revisions, I'm happy to go over them with you.

Regards,

David A. Steinberg
Executive Assistant to the Director

From: Steinberg, David (DPW)
To: Steinberg, David (DPW)
Bcc: "ichiarenza@ualocal38.org"; "oashworth@ibew6.org"; "laborers261@gmail.com"; "vincecourtney1@gmail.com"; "Dennis.Wong@seiu1021.org"; "david.mulvey@seiu1021.org"; "cityworker@sfcwu.org"; "dharrington@teamsters856.org"; raquel@sfmea.com (contact); "lshipley@ibt856.org"; "kgeneral@ifpte21.org"; "pkim@ifpte21.org"; "kthorbourne@ifpte21.org"
Subject: S.F. Public Works Statement of Incompatible Activities
Date: Friday, January 26, 2018 12:59:00 PM
Attachments: [image001.jpg](#)
[Statement of Incompatible Activities 2018.pdf](#)
[image003.jpg](#)

I am writing to let you know that the department is submitting to the San Francisco Ethics Commission proposed revisions to its Statement of Incompatible Activities. As a union that represents employees affected by the proposed changes, the commission requires that you be notified of these changes. A copy of the revised SIA is attached.

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4. Section III(A)3(a) (assistance in responding to city bids) – Language currently in use by the Department of Building Inspection and the Planning Department is added to clarify that employees are prohibited from providing selective assistance to non-profits for which they volunteer.
5. Section III(C)3 (advance written determination) – One paragraph is added to specify that before a request goes to the director for a final determination, it must be reviewed by the employee's bureau or division manager, then GSA-HR. This is already departmental policy and the addition incorporates the existing language in Public Works Procedures 02-01-04 and 03-02-06, and Civil Service Commission Rule 118.

If you have any questions or concerns about these proposed revisions, I'm happy to go over them with you.

Regards,

David A. Steinberg
Custodian of Records & Executive Assistant to the Director



Feb. 26, 2018

Local 3, Bricklayers & Allied Crafts
10806 Bigge St.
San Leandro, CA 94577

Mark Farrell
Mayor

Mohammed Nuru
Director

San Francisco Public Works
1 Dr. Carlton B. Goodlett Pl.
Room 348
San Francisco, CA 94102
tel 415-554-6920

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I am writing to update you on the department's submission to the San Francisco Ethics Commission to revise its Statement of Incompatible Activities. The Ethics Commission is likely to consider the proposed amendments at its March 16 meeting. A copy of the revised SIA, with changes highlighted, is attached. If you have any feedback, questions or concerns, please let me know.

As I wrote last month, aside from minor changes in grammar and punctuation, and to ensure the statement conforms to the department's style guidelines, there are a few substantive changes being proposed. We don't anticipate any objections, however, because these all follow language that is identical or nearly identical to policies already in place either by San Francisco Public Works or other City departments. Specifically, the following changes are proposed:

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If you have questions about the proposed revisions, I'm happy to discuss them with you.

Regards,

David A. Steinberg
Executive Assistant to the Director

From: Steinberg, David (DPW)
To: "lshiplev@ibt856.org"; "pkim@ifpte21.org"; "kthorbourne@ifpte21.org"; raquel@sfmea.com (contact); "dharrington@teamsters853.org"; "cityworker@sfcwu.org"; "Dennis.Wong@seiu1021.org"; "david.mulvey@seiu1021.org"; "laborers261@gmail.com"; "vincecourtney1@gmail.com"; "kgeneral@ifpte21.org"; "ichiarenza@ualocal38.org"; "oashworth@ibew6.org"; "tony@dc16.us"; "bart@dc16.us"
Subject: Follow-up: Public Works Statement of Incompatible Activities
Date: Monday, February 26, 2018 11:35:00 AM
Attachments: [Statement of Incompatible Activities 2018-highlights.pdf](#)
[image001.jpg](#)
[image003.jpg](#)

I am writing to update you on the department's submission to the San Francisco Ethics Commission to revise its Statement of Incompatible Activities. The Ethics Commission is likely to consider the proposed amendments at its March 16 meeting. A copy of the revised SIA, with changes highlighted, is attached. If you have any feedback, questions or concerns, please let me know.

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If you have any questions or concerns about these proposed revisions, I'm happy to go over them with you.

Regards,

David A. Steinberg
Custodian of Records & Executive Assistant to the Director
San Francisco Public Works | City and County of San Francisco

ATTACHMENT 6

From: [Steinberg, David \(DPW\)](#)
To: [Kundert, Kyle \(ETH\)](#)
Cc: [Pelham, Leeann \(ETH\)](#)
Subject: Public Works proposed SIA revision
Date: Monday, February 5, 2018 9:33:18 AM
Attachments: [PW Union Contact list.xlsx](#)
[01.26.18 to Unions-mailed.pdf](#)
[01.26.18 to Unions-email.pdf](#)

Hi Kyle,

I am writing to confirm that on Jan. 26, 2018, I sent notification to all of the unions that represent Public Works employees (as identified by GSA-Human Resources in the attached spreadsheet) that the department has submitted a proposed revision of its Statement of Incompatible Activities to the San Francisco Ethics Commission.

Attached are PDFs of an email sent that day to those unions that provided email contact information, along with a PDF of a printed letter that I mailed to the other unions on the list. Please note that a separate email was sent to the Teamsters on Jan. 29 because the original contact information that had been provided was incorrect.

To date I have had two replies to my letter:

- A representative from SEIU Local 1021 said he had no questions at this time.
- A representative from IFPTE Local 21 asked for a redlined version showing changes, which I provided.

Please let me know if I can provide additional information.

Regards,

[David A. Steinberg](#)

Custodian of Records & Executive Assistant to the Director

San Francisco Public Works | City and County of San Francisco

City Hall, Room 348 - 1 Dr. Carlton B. Goodlett Pl. | San Francisco, CA 94102 | (415) 554-6950

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