

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



ADVISORY OPINION NO. 232

This advisory opinion in response to a request for advice from the Ethics Commission [Commission] as to whether an employee may engage in any work of his neighborhood board from his City office during customary work hours and whether he may use City equipment for that purpose at any time.

The Commission understands the facts relative to this inquiry to be as follows:

The employee is an attorney for the City and County of Honolulu. He is often required to work during lunch, after customary office hours, and on weekends on City business.

He has been elected to serve as a member of a Neighborhood Board. While awaiting an Ethics Commission opinion on this matter, he has refrained from handling any neighborhood board matters within the confines of his City office.

The ethical question presented is whether the use of the employee's time during customary working hours or the City's equipment on business of his Neighborhood Board would violate the Standards of Conduct of the City and County of Honolulu.

The general rule in relation to your question is found in the Revised Charter of the City and County of Honolulu 1973 (1984 Edition), Section 11-104, which states:

Elected or appointed officers or employees shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege or exemption to themselves or any person beyond that which is available to every other person.

Based on the evidence presented, the Commission does not find that the performance of de minimus duties related to the employee's neighborhood board responsibilities while at work as an attorney would violate the Standards of Conduct of the City and County of Honolulu. However, the Ethics Commission does believe that his situation raises certain questions that are most appropriately dealt with as administrative policy within his department. Therefore, a copy of this opinion is being sent to the employee's supervisor, for his action in that regard.

Dated: November 22, 1993

BONIFACE K. AIU  
Chair, Ethics Commission