

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



ADVISORY OPINION NO. 217

This advisory opinion is in response to a letter requesting advice from the Ethics Commission as to whether a conflict of interest would be created if an Information Specialist with the Office of Information and Complaint accepted part-time employment as a proofreader.

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

The employee is an Information Specialist with the Information Section of the Mayor's Office of Information and Complaint. The employee's City responsibilities consist of: writing proclamations and ceremonial messages for the Mayor; drafting responses to letters for the Director of the Office of Information and Complaint and the Mayor; answering telephone inquiries for information; and conducting tours of City Hall. The employee has no access to information that is not available to every other citizen.

The employee has been interviewed for a part-time position as a proofreader for news stories. In that capacity the employee would correct typographical and grammatical errors, but would do no line editing of stories.

The ethical question presented is whether accepting a part-time position as a proofreader of news stories would create a conflict of interest with the employee's City position as an Information Specialist with the Mayor's Office of Information and Complaint.

The general rules in relation to this question are found in the Revised Charter of the City and County of Honolulu 1973 (1984 Ed.) [RCH]. Section 11-102.3, states in pertinent part:

No elected or appointed officer or employee shall... [e]ngage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.

Additionally, Section 11-102.2, RCH, states in pertinent part:

No elected or appointed officer or employee shall... [d]isclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.

Based on the evidence presented, the Commission finds that no conflict of interest would be created if the Information Specialist accepts a part-time position as a proofreader of news stories while continuing to work for the Mayor's Office of Information and Complaint.

Dated: September 10, 1992

JANE B. FELLMETH
Chair, Ethics Commission