



CITY OF SOMERVILLE, MASSACHUSETTS LAW DEPARTMENT

MEMORANDUM

TO: City Council

FROM: Matt Sirigu, Assistant City Solicitor/Labor Counsel

DATE: November 26, 2024

RE: Item No. 7.15 (ID# 24-1652) - Requesting approval of an exemption for Charles Graham as required by Massachusetts General Law Chapter 268A, Section 20(b).

The disclosure form presented to the Council for approval this evening concerns the dual employment of Charles Graham. Graham is employed as a full-time Educator in the School Department and would like to work as a part-time Program Specialist in the Parks and Recreation Department. The Commonwealth's Ethics Law, G.L. c. 268A, *et seq*, prohibits municipal employees from entering into contracts with their municipal employer, which includes a second employment relationship, unless the individual qualifies for a statutory exemption.

One exemption, contained in G.L. c. 268A, §20(b), permits a municipal employee to enter a second personal services contract with the municipal employer if the second position meets certain criteria. These criteria include (1) the duties of the second job are performed outside of the employee's regular work hours and are not encompassed by the employee's existing duties, (2) no other existing employee is available to perform such duties, (3) the employee files a written disclosure with the City Clerk, and (4) "the city council ... approve[s] the exemption of [the employee's] interest from" Section 20.

The State Ethics Commission has created the disclosure form presented to the Council tonight for purposes of complying with Section 20(b). The City Solicitor's Office worked with the employee and the relevant department head to execute this form and present it to the Council for approval in compliance with the Ethics Law.



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