

# **Gift Ban Policy**

## **GENERAL POLICY.**

It is the policy of the Flossmoor Public Library to comply with the Illinois State's Gift Ban Act through the promulgation of this policy. Neither the Open Meetings Act nor the Freedom of Information Act of Illinois, or any policies of the Library in furtherance of those Acts shall be applicable to proceedings, meetings, or documents involved here, which are exempt there for. (5 ILCS 430/10-10 through 10-30)

## **EXEMPTIONS.**

Due to the high costs of compliance for an uncompensated and non-salaried appointed and/or elected member of the Board of Library Trustees, and given that the experience of gifts of any kind of value to them is virtually non-existent and certainly has not been a source of improper action, influence or effect in this Library or any Public Libraries in Illinois, it is the Policy to exempt all non-salaried appointed or elected officials of the Library from this Policy and State Act, as permitted by that Act.

## **DEFINITIONS.**

The terms "gift," "prohibited source," and "employee" whether used in the singular or plural form and as used in this Policy, have the meaning as defined in the State's Gift Ban Act.

## **PROHIBITED GIFTS.**

The solicitation and acceptance of any "gifts," from any "prohibited source," are banned and prohibited for all Library employees.

## **EXCEPTIONAL GIFTS.**

The restrictions in the foregoing section do not apply to the following:

1. Anything for which the employee pays market value or anything not used and promptly returned to the donor or given to an appropriate charity;
2. A contribution, lawfully made under the Election Code or attendance at a fundraising event sponsored by a political organization;
3. A gift from a relative as defined in the State Act
4. Anything provided by an individual on the basis of a personal friendship, unless there is reason to believe that under the circumstances the gift was provided because of the employee's position and not because of personal friendship;
5. A commercially reasonable loan evidenced in writing with repayment due by a date certain made in the ordinary course of the lender's business;

6. Payments to a legal defense fund established for the employee that is otherwise lawfully made;
7. Intra-office and inter-office gifts meaning any gifts from an employee of the Library to an employee of the Library;
8. Food, refreshments, lodging, transportation and other benefits resulting from outside business or employment activities if they have not been enhanced by the position of employment with the Library and are customarily provided to others in similar circumstances or in connection with bona fide employment discussions by a prospective employer, or provided in connection with a fundraising or campaign event sponsored by the organization;
9. Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employee;
10. Informational materials sent to the employee in the form of books, articles, periodicals, other written materials, audio tapes, video tapes, or other forms of communications;
11. Awards or prizes that are given to competitors in contests or events open to the public, including random drawings;
12. Honorary degrees (and associated travel, food, refreshments and entertainment provided in the presentation of degrees and awards);
13. Training (including food and refreshments furnished to all attendees as an integral part of the training) if the training is in the interest of the Library;
14. Educational missions, including meetings with government officials intended to educate them matters of public policy;
15. Bequests, inheritances and other transfers at death;
16. Anything that is paid for by the federal government, the State or the Library or secured by the government under a government contract;
17. A gift of personal hospitality of an individual other than a registered lobbyist or foreign principal including hospitality extended for a non-business purpose by an individual at their personal residence or facilities owned by that individual or the individual's family;
18. Free attendance at a widely attended event permitted under Subsection 24 below;
19. Opportunities and benefits that re available to the public or to all employees whether or not geographically restricted, offered to a class of members which is related to employment or official positions, offered to members such as employees' association or credit union, offered to a group that is not defined in a

manner that specifically discriminated on the basis of branch of government or type of responsibility or on the basis that favors those of higher rank or pay, in the form of loans on terms generally available to the public or in the form of reduced membership or other fees for participation in organization activities offered to all government employees.

20. A plaque, trophy or other item that is substantially commemorative in nature and that is extended for presentation;

21. Golf or tennis, food or refreshments of nominal value and catered food or refreshments, meals or beverages consumed on the premises from which they were purchased;

22. Donations of products from an Illinois company that are intended primarily for promotional purposes and are of minimal value;

23. An item of nominal value such as a greeting card, baseball cap or T-shirt;

24. Attendance at events; an employee may accept an offer of free attendance at widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event provided by the sponsor of the event if the employee participates as a speaker or panel participant or by performing a ceremonial function appropriate to their employment or position or attendance at the event is appropriate to the performance of civic affairs in Illinois or the official duties of the employee. The acceptance of a sponsor's unsolicited offer of free attendance at such an event may include an accompanying individual. An employee may accept a sponsor's unsolicited offer of free attendance at a charity event except reimbursement for transportation and lodging may not be accepted in connection with the event. This "free attendance" may include waivers of all fees and unless otherwise stated the provision of transportation, food, refreshments, entertainment and instruction materials but does not include entertainment collateral to the event or food or refreshments taken other than in the group setting with substantially all of the attendees except as permitted under Subsection 21 above.]

#### ENFORCEMENT.

Any employee who violated this policy shall be subject to termination or other discipline, including but not limited to suspension (with or without compensation) of employment for a stated term, a requirement to reimburse, return or turnover of any prohibited gift as directed by the Board of Library Trustees.

### ETHICS OFFICER.

The President of the Board of Library Trustees shall designate an Ethics Officer for the Library who shall review Statements of Economic Interests and disclosure forms for members, officers and employees of the library before they are filed and provide guidance to members, officers and employees in the interpretation and implementation of the State Gift Ban Act

Approved by the Board of Trustees: December 11, 2018

Reviewed by the Board of Trustees: November 12, 2019

Reviewed by the Board of Trustees: July 12, 2022