



THE ANNUAL HOLIDAY GIFT REMINDER

FROM THE BOARD OF ETHICS (also known as "Ethics-ezer Scrooge")

It's that time of year again: every December, the Board of Ethics receives dozens of questions about gifts. Since last year's holiday season, important changes were made to the laws covering the acceptance of gifts (including holiday gifts) by City employees. This brief pamphlet explains them.

Remember: before accepting any gift, always consider not only whether the law allows you to keep it, but whether your acceptance may create the perception that your independent judgment or integrity could be compromised. When in doubt, always say "no thanks."

GIFTS FROM OUTSIDE, NON-CITY SOURCES

► You cannot, as a City employee or official, solicit or accept any anonymous gift, cash or gift card in any amount, unless it falls into one of the exceptions below.

► All other gifts are limited at \$50: you cannot, as a City official or employee, solicit or accept any single gift or combination of gifts worth more than \$50 from a single source per year, unless it falls into one of the exceptions below.

Here are the exceptions:

- Gifts from your relatives;
- Gifts from a personal friend, unless you have reason to believe that your friend offered it to you because of your City position;
- Anything for which you pay fair market value;
- Anything offered to the public on the same terms, like sales promotions;
- Gifts you accept on the City's behalf;
- Reasonable hosting expenses related to official City business, but only if offered by the sponsor or host of the event;
- Materials or travel expenses related to public or governmental educational purposes, as long as the Board of Ethics approves it beforehand, and you report it to the Board within 10 days of your return; and
- Gifts offered to you because of your outside, non-City business or employment.

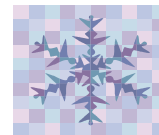
Examples:

- A City employee receives a \$25 Starbuck gift card from a City resident for whom she provided some assistance. Can she keep it?
→ No. She must immediately return the gift card (she should also send the Board of Ethics a copy of the letter returning it, for her protection).
- A City department (or a City employee) is sent a box of chocolates or a poinsettia plant from a vendor.
→ These items may be accepted on behalf of the City, as long as they're put out in a public lobby for public consumption or enjoyment, and the department or employee sends the Board and Comptroller a written acknowledgement of the who/what/where/when.



GIFTS FROM OTHER CITY PERSONNEL, OFFICE PARTIES

- ▶ As a City employee, you may give any gift to co-worker(s) at your level or at a lower pay rate than you.
- ▶ However, you may not give your official superior(s) any holiday gift other than a token item worth \$10 or less—and no cash or gift cards.
- ▶ Nor may you solicit your co-workers for a gift to any official superior.
- ▶ So, for “white elephant” or grab-bag parties, no gifts should be worth more than \$10, and no gift cards or cash can be given or accepted.



Note: the rules above do not apply to gifts to aldermen.

- ▶ *No official superior may ever coerce his or her subordinates into giving or contributing to a gift.*
- ▶ You may contribute any amount toward food or drinks to be shared in the office among co-workers.

“Official superior” means any other City employee(s), including your immediate supervisor(s), whose official responsibilities include directing or evaluating your performance—and the Mayor himself.

Examples:

- A City department wishes to have its annual holiday party at Lou Malnati’s—the cost for anyone wishing to attend is \$25, plus cash bar. Is this ok?
→ Yes. Any employee may voluntarily attend, but no employee may coerce any other into attending.
- Several employees wish to pitch in to buy their boss a \$100 Blu-ray player. Can they?
→ It’s not likely. None of them can solicit any other employee to pitch in, and none of them may pitch in more than \$10 for the gift. Best to skip it.

NOTE: You do not violate the law if you promptly take reasonable action to return a forbidden gift or give any tangible or perishable gift to a charity that is tax-exempt under §501(c)(3) of the Internal Revenue Code.

Remember: we can help you figure out whether a gift or party arrangement is acceptable. Please call the Board of Ethics before you accept anything that doesn't fit clearly within an exception.



BOARD OF ETHICS
RAHM EMANUEL, MAYOR
STEPHEN W. BEARD, CHAIR
[www/cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics)
740 North Sedgwick, Suite 500
Chicago, Illinois 60654
(312) 744-9660
Steven I. Berlin, Executive Director
sberlin@cityofchicago.org