

# THE ANNUAL HOLIDAY GIFT REMINDER: 2017 VERSION

FROM THE BOARD OF ETHICS



It's already time for the Board's annual grumpy-Scrooge holiday reminder.

As we all know by now, we are, as City government personnel, subject to rules and restrictions on what gifts we can receive, whether during the end-of-year holidays or any other time.

**This brief guide explains the rules. Please follow them. Violations of these rules could lead to employment sanctions, removal from office, and/or fines, and public shaming. No gift is worth that.**

Remember also to check your own department's or office's gift rules, as they may be stricter than those in the City's Ethics Ordinance. Ask your departmental ethics officer about that.

## THE GIFT RULES:

- You can't solicit or accept any cash or gift card in any amount, unless it falls into one of the **limited** exceptions listed below.
- You can't solicit or accept any single non-cash, non-gift card gift, or combination of gifts, worth more than \$50 from a single source in a calendar year, unless it falls into one of the **limited** exceptions below.
- You can't accept any anonymous gift, unless it falls into one of the **limited** exceptions below.
- You can't solicit or accept anything based on an understanding that your City decisions, actions or judgments will be affected by it—no exceptions.
- You can't accept a complimentary invitation for a vendor's holiday party unless you and your department head believe that your attendance is related to your City responsibilities, and you report it to the Board of Ethics within 10 days. You can, of course, pay your own way. We recommend that you do. You are not prohibited from socializing with vendors or others!
- These rules also apply to gifts offered to or accepted by your spouse or domestic partner, and immediate family members living in the same residence as you.

## THE LIMITED EXCEPTIONS:

You may solicit or accept:

- Gifts from your relatives, including cash or gift cards, in any amount;
- Gifts from a personal friend, unless you have reason to believe that your friend offered you the gifts because of your City position (we advise that "business friends" are not personal friends – a personal friend is someone you know independently of your City position);

- Anything for which you pay fair market value;
- Anything offered to members of the public on the same terms, like sales promotions or discount tickets;
- Gifts you accept on the City's behalf, as long as they're reported to the Board and City Comptroller (but they must be useable for City business purposes or displayed or put out for the public's enjoyment – candy or Poinsettias qualify); and
- Gifts offered to you because of your outside, non-City business, employment, or community activity.

### **GIFTS FROM OTHER CITY PERSONNEL, OFFICE PARTIES**

- ▶ City employees may give any gift to co-worker(s) at their level or at a lower pay rate.
- ▶ However, they may not give their official superior(s) any holiday gift other than a non-cash item or gift card worth \$10 or less (even if their superior makes less money).
- ▶ City employees may not solicit co-workers for a gift to any official superior.
- ▶ Gifts for “white elephant,” “Secret Santa,” or grab-bag parties must be worth \$10 or less, and cannot be cash in any amount.
- ▶ No official superior may ever coerce his or her subordinates into giving or contributing to a gift.
- ▶ For in-office holiday parties, employees 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.

NOTE: You won't violate the law if you promptly take reasonable action to return a prohibited gift or transfer any tangible or perishable gift to a tax-exempt charity.

The Board of Ethics will help you figure out whether a gift or specific party plan is acceptable. **Please call us in advance for confidential advice or guidance. There's no such thing as a silly question.**

**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, just say “no thanks.”



RAHM EMANUEL, MAYOR  
 WILLIAM F. CONLON, CHAIR  
[www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics)  
 740 North Sedgwick, Suite 500  
 Chicago, Illinois 60654 (312) 744-9660  
[www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics)

Steven I. Berlin, Executive Director  
[sberlin@cityofchicago.org](mailto:sberlin@cityofchicago.org)  
 twitter: @EthicsSteve