

Continuing Ethics Education Series

City of Chicago
Richard M. Daley, Mayor



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SUBJECT: GIFTS

8TH ISSUE (November 2003)

Executive Director's Column

The holiday season is upon us once again. During this season, we get numerous questions on what City personnel should do with gifts they receive. The protocol on page 2 should provide you with guidance on what do with such gifts. It is important to remember that, as City personnel, we have been entrusted by the public to do what is in the best interest of the City and its citizens. It is a great responsibility; accordingly, the standards that we set for our conduct must be high. The City's ethics laws provide only a basis for how we should conduct ourselves. Because excellence in public service is not only our goal, but our responsibility, we should avoid anything that may compromise the public's trust. Therefore, in determining whether the gifts you receive are acceptable or not, you should: 1) look at the gift rules in the Ethics Ordinance; and 2) ask yourself whether accepting the gift may in anyway compromise the public's trust. We wish you a safe and happy holiday season.

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Dorothy J. Eng



Ethics Rules On Gifts



Rule of Thumb: Before accepting any gift, employees and officials should consider not only whether the gift is permissible under the law, but whether acceptance might create the perception that their independent City judgment is being compromised. To eliminate the negative appearance that may be associated with a gift from a person with an interest in City business, such as a vendor or a contractor, **DO NOT** accept the gift.

City law **ABSOLUTELY** prohibits City employees and officials, their spouses, and their minor children from accepting the following gifts:

- ◆ Any anonymous or cash gift.
- ◆ Any gift based on a mutual understanding that the gift will influence City decisions.
- ◆ Any item or service valued at \$50 or more from someone who can gain or lose by actions taken by the City employee or official in his or her City job.
- ◆ A gift, money, or any thing of value in exchange for advice or assistance concerning City business.

Protocol on Gifts For City Personnel

Here are some tips on what to do with gifts you might receive.

YOU DON'T KNOW WHETHER YOU CAN ACCEPT THE GIFT	YOU KNOW THE GIFT IS PROHIBITED	YOU ARE UNCOMFORTABLE ACCEPTING THE GIFT
<p>If you don't know whether you can accept the gift you are offered or sent, you should as soon as possible:</p> <p>1) Contact the Board office at (312) 744-9660 for confidential guidance.</p> <p style="text-align: center;"><i>OR</i></p> <p>2) Follow the procedures set forth under "You Are Uncomfortable Accepting the Gift."</p>	<p>If you are offered or sent a gift that you know is prohibited, you should, as soon as possible:</p> <p>1) Return the gift to the giver, together with a letter that:</p> <ul style="list-style-type: none"> a) describes the gift; and b) informs the giver that you are returning the gift because you are prohibited by law from accepting it. <p>Keep a copy of the letter for your records, and if you wish, send a copy to the Board of Ethics.</p> <p style="text-align: center;"><i>OR</i></p> <p>2) If returning the gift is not possible (e.g., an anonymous gift or a perishable gift), you should forward the item to a charitable organization, together with a letter that:</p> <ul style="list-style-type: none"> a) describes the gift; b) asks the organization to accept the gift because you are prohibited by law from accepting it; and c) identifies the giver, by name and address, as the donor. <p>Keep a copy of the letter for your records, send a copy to the giver (if known), and if you wish, send a copy to the Board of Ethics.</p>	<p>If you are offered or sent a gift you feel uncomfortable accepting because it could create an appearance problem, you should, as soon as possible:</p> <p>1) Return the gift to the giver, together with a letter that:</p> <ul style="list-style-type: none"> a) describes the gift; and b) informs the giver that, although you appreciate the gesture, you are returning the gift because you feel that your acceptance of it would create an appearance that would detract from the integrity of the giver's relationship with your City agency/the City. <p>Keep a copy of the letter for your records, and if you wish, send a copy to the Board of Ethics.</p> <p style="text-align: center;"><i>OR</i></p> <p>2) Forward the item to a charitable organization, together with a letter that:</p> <ul style="list-style-type: none"> a) describes the gift; b) explains the gift is being forwarded because you feel that your acceptance of the gift would create an appearance that would detract from the integrity of the giver's relationship with your City agency/the City; and c) identifies the giver, by name and address, as the donor. <p>Keep a copy of the letter for your records, send a copy to the giver, and if you wish, send a copy to the Board of Ethics.</p>



Can you match the quote to the person who made the statement?

(See page 4 for answers.)

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| <ol style="list-style-type: none"> 1. Do not be too moral. You may cheat yourself out of much life. So aim above morality. Be not simply good, be good for something. 2. Ethics is a code of values which guide our choices and actions and determine the purpose and course of our lives. 3. The ideals which have always shone before me and filled me with the joy of living are goodness, beauty, and truth. To make a goal of comfort or happiness has never appealed to me; a system of ethics built on this basis would be sufficient only for a herd of cattle. 4. Ethics and equity and the principles of justice do not change with the calendar. 5. Action indeed is the sole medium of expression for ethics. 6. The act of acting morally is behaving as if everything we do matters. 7. Let none be like any other; but let each be like the highest. | <ol style="list-style-type: none"> A. Jane Addams B. Albert Einstein C. D.H. Lawrence D. Goethe E. Ayn Rand, 20th-century Russian/American novelist and philosopher F. Gloria Steinem G. Henry David Thoreau |
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Test Your Knowledge



. . . of the Rules on **Gifts**



Answer the following questions with either a YES or a NO, then check your answers.



Yes No

1. In my City job, I am responsible for supervising the performance of several City contractors. One of the contractors sent me a holiday box of candy worth somewhere between \$75 and \$100. May I keep the gift?

Answer: You may not accept a gift from a City contractor whose City business you are in a position to affect, unless it is an occasional gift of nominal (less than \$50) value. In this case, although it may well be an occasional gift, its value exceeds \$50. Therefore, the answer to this question is NO, you may not accept the gift.

2. Yesterday I returned to my City desk from lunch to find a blank envelope containing a ticket to an upcoming sporting event. The ticket has a face value less than \$50. I suspect, but don't actually know, that the ticket is from a City vendor with whom I was recently "talking sports." In my City job, I have frequent contact with this vendor, but no authority whatsoever over his City business. May I keep the ticket?

Answer: Even though the ticket is worth less than \$50, and even though you have no authority over the vendor's City business, City rules prohibit employees and officials from accepting any anonymous gift. Therefore, the answer to this question is NO, you may not accept the ticket.

- Extra Credit** 3. What can City employees do to help erase the negative perception associated with the receipt of gifts from department vendors or contractors?

Answer: The easiest way to eliminate the negative perception associated with the receipt of gifts from department vendors or contractors is to NOT accept such gifts.

PLEASE NOTE

The opinions and answers as stated in this publication are for general information only and are NOT intended to provide specific advice for any individual. For specific advice, contact the Board office at (312) 744-9660.



Answers to Quick Quotes: 1. G, 2. E, 3. B, 4. C, 5. A, 6. F, 7. D

Upcoming Ethics Training Classes

Regularly Scheduled Ethics Training Class Dates

November 5 and 19, December 3 and 17
9 AM - 10:30 AM
740 North Sedgwick, Suite 500

If you have any questions or need additional information, you can contact us at:

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<u>Issue Topic</u>	<u>Date</u>	<u>Webpage</u>
Post Employment	September 2002	www.cityofchicago.org/Ethics/pdf/Newsletter.9.02.pdf
Gifts	November 2002	www.cityofchicago.org/Ethics/pdf/Newsletter.11.02.pdf
Political Fundraising	January 2003	www.cityofchicago.org/Ethics/pdf/Newsletter.01.03.pdf
Public Disclosures	March 2003	www.cityofchicago.org/Ethics/pdf/Newsletter.03.03.pdf
Lobbying	May 2003	www.cityofchicago.org/Ethics/pdf/Newsletter.5.03.pdf
Outside Employment and Business Activities	July 2003	www.cityofchicago.org/Ethics/pdf/Newsletter.7.03.pdf
Employment of Relatives	September 2003	www.cityofchicago.org/Ethics/pdf/Newsletter.9.03.pdf

HAPPY HOLIDAYS!!