



JAMES PRENDERGAST LIBRARY ASSOCIATION  
509 Cherry Street  
Jamestown, New York 14701

Trustee and Employee Code of Ethics and Conflict of Interest Policy

The James Prendergast Library Association recognizes that sound, ethical standards of conduct serve to increase the effectiveness of the Library's Board of Trustees, staff and volunteers. Actions based on an ethical code of conduct promote public confidence and the attainment of the Library's goals. The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Library trustees and employees.

The James Prendergast Library Association Board of Trustees is also committed to avoiding any situation in which the existence of conflicting interests of any trustee or employee may affect the integrity of the management or operation of the Library. The Board affirms its commitment to adhere to applicable provisions of law regarding material conflicts of interest:

1. Gifts: No trustee or employee shall directly or indirectly solicit, accept or receive any money or gift having a value of \$75 or more, whether in the form of cash, check, loan, credit, services, travel, entertainment, hospitality, or promise, or any other form. Under no circumstances should a trustee or employee accept any money or gift for which it could reasonably be inferred that the money or gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any specific official action on his or her part.

2. Confidential Information: No trustee or employee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he or she shall not disclose information regarding any matters discussed in an executive session of the Board of Trustees.

3. Representation Before the Board: A trustee or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the James Prendergast Library Association Board of Trustees.

4. Representation Before the Board for a Contingent Fee: A trustee or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the James Prendergast Library Board, whereby the compensation is to be dependent or contingent upon any action by the Board with respect to such matter.

5. Disclosure of Interest in Matters before the Board: Any trustee or employee, whether paid or unpaid who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter. The term “interest” means a pecuniary or material benefit accruing to a trustee or employee.

6. Disclosure of Interests in Contracts: To the extent known, any trustee or employee of the Library who has, or will have, or subsequently acquires any interest in any contract with the Library shall publicly disclose the nature and extent of such interest in writing to the Library Director as soon as he or she has knowledge of such actual or prospective interest.

7. Investments in Conflict with Official Duties: No trustee or employee of the Library shall invest or hold any investment directly or indirectly in any financial, business, commercial or private transaction that creates a conflict with his or her official duties.

8. Certain Real Property Interests Prohibited: No trustee or employee of the Library who has an interest in any property, either individually or as a trustee or employee of a corporation or partnership, shall participate in the acquisition or plan for acquisition of said property or any property adjacent to said property by the Library. The term “participate” shall include the promotion of the site as well as the negotiation of the terms of the acquisition.

9. Prohibited Conflicts of Interest: No trustee or employee shall have an interest in any contract between the Library and a corporation or partnership of which he or she is a director or employee if that Library trustee or employee has the power to negotiate, prepare, authorize or approve the contract or authorize or approve payment there-under, audit bills or claims under contract, or appoint a trustee or employee who has any of the powers or duties set forth above. No chief fiscal officer, treasurer or his or her deputy or employee shall have an interest in a bank or trust company designated as a depository paying agent, registration or for investment of Library funds of which he or she is a director or employee. The provisions of this section will not be construed to preclude the payment of lawful compensation and necessary expenses of any trustee or employee in one or more positions of public employment, the holding of which is not prohibited by law.

10. Nepotism Prohibited: No person employed by the library shall hire, supervise, evaluate, promote, review or discipline any other employee who is a member of his or her family. In the event that marriage, promotion, or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effected if possible.

11. Private Employment: No trustee or employee of the Library shall engage in, solicit, negotiate for or promise to accept private employment or render services to private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

12. Use of Library Property: No trustee or employee shall use or permit the use of property,

owned or leased to the library, for anything other than official purposes or for activities not otherwise officially approved by the Library's Board of Trustees.

13. Duty to Disqualify: It is incumbent upon any trustee or employee, whether paid or unpaid, to disqualify or recuse him or herself immediately whenever the appearance of a conflict of interest exists.

14. Duty to Report Conflicts of Interest: In the event that any trustee or employee knows of or perceives a direct or indirect conflict of interest, he or she shall report it to the Library's Board of Trustees.

15. Duty to Report Violations of this Policy: Any trustee or employee or any member of the public noting or suspecting a violation of this policy is encouraged to report the matter, either in confidence or in public, to the Library Board of Trustees.

*Distribution of the James Prendergast Library Association Trustee and Employee Code of Ethics and Conflict of Interest Policy*

The James Prendergast Library Board of Trustees shall provide a copy of the Trustee and Employee Code of Ethics and Conflict of Interest policy to be distributed to every Trustee and employee. Each Trustee and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

*Penalties*

A Library trustee or employee who shall knowingly and intentionally violate any of the provision of this Code of Ethics and Conflict of Interest Policy may be subject to disciplinary action up to and including suspension and/or dismissal.

*This policy was approved by the James Prendergast Library Association Board of Trustees at their meeting of June 16, 2011.*

*Acknowledgment*

The standards of behavior of the James Prendergast Library Association is that all Trustees and employees, whether paid or unpaid, scrupulously avoid any conflict of interest between the interests of the James Prendergast Library Association on the one hand, and their personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as potential and perceived conflicts of interest.

I understand that the purposes of this policy are to protect the integrity of the James Prendergast Library Association's decision-making process, to enable Library constituents to have confidence in the Library's integrity, and to protect the integrity and reputation of all Library trustees and employees both paid and unpaid.

Upon or before election, hiring, or appointment, I will make a full, written disclosure of any and all interests, relationships and holdings that do create or could potentially create a conflict of interest. This written disclosure will be kept on file and I will update it as appropriate.

During the course of meetings or activities, I will disclose any interests in a transaction or decision where I (including my business and any other nonprofit affiliation), my family and/or my significant other, employer, or close associates will receive a benefit or gain. After disclosure, I understand that I will be asked to leave the room for the discussion and will not be permitted to vote on the question or issue.

I understand that this policy is meant to be a supplement to good judgment, and I will respect its spirit as well as its wording.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_