

ARROW PUBLIC LIBRARY CONFLICT OF INTEREST POLICY

Trustees, Officers, Employees, Volunteers

For the mission of the Arrow Public Library (APL) to be achieved, it is necessary to have the trust of the community. Therefore, it is fundamental for all Trustees, Officers, Employees, and Volunteers to maintain the highest ethical standards possible when conducting business on behalf of the APL. The purpose of this policy is to protect APL interests when it enters into a transaction or arrangement that might benefit the private interests of an APL Trustee, Officer, Employee, or Volunteer. The APL will not enter into any such transaction or arrangement unless it is determined by the Board of Trustees to be fair reasonable, permitted by law, and in the best interest of the APL at the time of such determination. The policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest applicable to not-for-profit, charitable organizations, and municipalities. The behavior standard at APL is that all Trustees, Officers, Employees, or Volunteers shall avoid any conflict of interest between APL interests, and personal, professional, and/or business interests.

Definitions

Unless the context clearly indicates otherwise, the terms described below shall have the following meaning for this policy:

“Contract” - Any claim or demand against the APL or account or agreement with the APL, whether expressed or implied that exceeds \$750.00 in any fiscal year.

“Employee” or “Officer” - An elected or appointed employee or officer of APL, whether paid or unpaid.

“Interest” - A direct or indirect benefit to an APL Trustee, Officer, Employee, or Volunteer resulting from a contract with APL. For the purpose of this policy, an APL Trustee, Officer, Employee, or Volunteer shall be deemed to have an interest in the contract of:

- A spouse, minor children, and dependents, unless employed by APL.
- A firm, partnership, or association of which such APL Trustee, Officer, Employee, or Volunteer is a member or employee.
- A corporation of which such APL Trustee, Officer, Employee, or Volunteer is an officer, director, or employee.
- A corporation of which more than five percent of the outstanding stock is owned by such APL Trustee, Officer, Employee, or Volunteer, or his/her relative.

“Legislation” - A matter arising on the agenda of the APL Board of Trustees or associated committee, on which official action will be taken and shall include proposed or adopted acts, local laws, ordinances, or resolutions.

“Relative” - A spouse, stepchild, parent, stepparent, brother, sister, stepbrother, stepsister, or legal guardian of any said persons or an APL Trustee, Officer, Employee, or Volunteer.

“[Spouse](#)” - The husband or wife of an APL Trustee, Officer, Employee, or Volunteer unless living separate and apart pursuant to

- A judicial order, decree, or judgement of separation.
- A legally binding written agreement of separation in accordance with the Domestic Relations Law.

“[Trustee](#)” - APL’s elected and appointed Trustees, *ex officio* Trustees or their representatives, as well as any other individual serving as a member of a Committee on APL Board of Trustees.

“[Volunteer](#)” - An individual who performs hours of service for APL for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered.

Standards of Conduct

Every APL Trustee, Officer, Employee, or Volunteer is subject to and will abide by the following standards of conduct:

Confidential information: No APL Trustee, Officer, Employee, or Volunteer shall disclose confidential information acquired during official duties or use such information to further personal interest.

Disclosure of interests in contracts: Any APL Trustee, Officer, Employee, or Volunteer who has, will have, or subsequently acquires any interest in any actual or proposed contract with APL shall publicly disclose the nature and extent of such interest in writing to the APL Board and/or to the individual’s immediate supervisor as soon as the individual has knowledge of such interest.

Disclosure of interest in legislation: To the extent known, any APL Trustee, Officer, Employee, or Volunteer who takes part in discussions or provides an official opinion to the APL Board on any legislation before it shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest the individual may have in such legislation, including current or past legislation.

Gifts: No APL Trustee, Officer, Employee, or Volunteer shall directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loans, travel, entertainment, hospitality or any other form, under circumstances where it could be reasonably inferred that the money or gift was intended to influence, or could influence the individual in the performance of the individual’s official duties, or was intended as a reward for any official action taken by an APL Trustee, Officer, Employee, or Volunteer.

Investments in conflict with official duties: No APL Trustee, Officer, Employee, or Volunteer shall invest or hold any investment, directly or indirectly, in any financial, business, commercial, or other private transaction that creates a conflict.

Other prohibited activities: No APL Trustee, Officer, Employee, or Volunteer shall:

- Use or attempt to use their official position to secure unwarranted privileges or exemptions for themselves or others.
- By their conduct suggest that any person can improperly or inappropriately influence an APL Trustee, Officer, Employee, or Volunteer or unduly enjoy special favor in the performance of official duties, or that they are affected by the kinship, rank, position, or influence of any party or person.
- Be in receipt of information regarding the APL, its Trustees, Officers, Employees, or Volunteers that involves allegations of wrongdoing of criminal activity, or that may adversely affect the APL and not report such information to the Board of Trustees.

Private employment: No APL Trustee, Officer, Employee, or Volunteer shall engage in, solicit, negotiate for, or promise to accept private employment or provide services for private interests, especially pertaining (but not exclusive) to the computer laboratory, auditorium, and conference rooms, or if this employment impacts the regular duties or employment.

Prohibited conflicts of interest: No APL Trustee, Officer, Employee, or Volunteer shall have an interest in any contract between APL and a corporation or partnership of which the individual is an officer or employee (including contracts regarding, but not limited to use of the computer laboratory, auditorium, and conference rooms) when such individual has the power to:

- Negotiate, prepare, authorize, or approve the contract or authorize or approve associated payment
- Audit invoices or claims under the contract
- Appoint an officer or employee who has any of the powers or duties mentioned above, and no chief financial officer, treasurer or associated colleagues shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of APL funds of which the individual is an officer, employee or volunteer.

Violations and consequences:

- APL Trustees may be removed from office for violating their oath of office and/or neglecting their duties; violating regulations, taking unauthorized action on behalf of the Board of Trustees; willful receipt and retention of a gift with a value of \$75 or more; willfully benefitting from contracts associated with the computer laboratory, auditorium, and/or conference rooms as well as other contracts with APL; not providing information regarding known criminal activity.
- Officers and employees may be subject to disciplinary action including reprimand, fines, suspension or employment termination in accordance with due process of law, if applicable for violating this policy.

Voiding of contracts: Contracts willfully entered into that are in violation of the state law regarding conflicts of interest are deemed void.

Responsibilities

The APL Director will be responsible to ensure that:

- All APL staff (including the APL Director), and Board of Trustees members are given a copy of this policy to read and sign the policy attestation.

- All APL Trustees, Officers, Employees, or Volunteers will sign the policy attestation when elected, hired, or appointed.
- APL Trustees, Officers, Employees, or Volunteers who are in a position to make hiring or purchasing decisions will sign the policy attestation annually.
- The policy will be revised and updated annually as necessary with any changes to [Act 318 of 1969 Conflict of Interest](#) by Michigan legislators, or as necessary.

All signed attestations will be kept on file.

Drafted for Board of Trustees approval: June 29, 2021

For further information or questions, please contact Sarah Tribelhorn at sarahtribelhorn@apl.org