
Board Policy



Conflict of Interest -- Board of Trustee and Administrative-Level Director

Policy Statement

No Trustee or administrative-level Director may engage in activity which is incompatible with the proper discharge of official duties or which may impact independence of judgment or action of such official duties.

Purpose

It is in the best interest of the Library to avoid the reality or appearance of improper influence, favoritism, and conflicts of interest. The Library establishes this policy to ensure that matters arising from family or personal relationships do not impair an employee or member of the Board of Trustee's judgment in acting in the best interest of the Library, and in the management of employees, and in their fiduciary responsibilities.

Definitions

Conflict of Interest: Any action that, in the opinion of the Library, might interfere with, or appear to interfere with, the independent exercise of judgment or performance of work duties, employee judgment or present the potential of undue influence upon actions by the employee or Trustee. Situations that may appear to be a conflict of interest include, but are not limited to:

1. Where one employee would have direct or indirect authority or practical power to supervise, schedule, appoint, remove, promote or discipline the other;
2. Where one employee would be responsible for auditing or reviewing the work of another;
3. Where the employees would be scheduled to work together without a third employee present;
4. Where circumstances exist which would place the employees in a situation of actual or reasonable foreseeable conflict between the Library's interest and their own;
5. Where the absence by both parties at the same time would create a hardship for the Library;
6. Where, in order to avoid the reality or appearance of improper influence or favor, or to protect its confidentiality, the Library must limit the employment of close relatives of policy level officers of vendors, competitors, regulatory agencies, or others with whom the employer deals.
7. Where an employee's or trustee's actions or decisions would have a financial impact upon the employee or Trustee or their relative or significant other or a legal entity in which the Trustee, employee or their relative or significant other has a significant ownership interest..
8. Where an employee or trustee would be in a position to access confidential information regarding a relative or significant other.

De minimus gift or honorarium: Shall be items with a value of \$100.00 or less, provided that the recipient reports receipt of the gift or honorarium per this policy. De minimus items shall also include conference swag, pens, books, handouts, hosted receptions, samples and such items, provided that the items are equally available to all conference participants and are not exclusively for attendees from the Pierce County Library System. De minimus items shall also include any raffle prize awards or similar

rewards which are equally available to all conference participants electing to participate in the raffle or award program. These items are referred to as “conference swag” and need not be reported.

Administrative-level Director: Executive Director of the Library System, or Deputy Director, or member of the Library’s Administrative Team.

Legal Entities as Relative or Significant Other: If a Library employee, Trustee or a relative or significant other of such employee or Trustee has a significant ownership interest, as determined by the Library, in any company doing business with the Library or is employed by any company doing business with the Library in the capacity of an officer, director, account executive, sales representative or any other individual with authority to price, manage or influence business affairs related to such company’s dealings with the Library, the conflict of interest will be regarded as if such company were a natural person and the conflict were as Relative or significant other of the Library employee or Library Trustee.

Relative or significant other: Family member or close relative such as a spouse, domestic partner, parent, child, sibling, “step” or “in-law”, grandparent, grandchild, guardian; and like relative of an employee’s spouse and any persons in a romantic or sexual relationship; or any other person residing with or legally dependent upon a Pierce County Library System employee or member of the Library Board of Trustees.

Trustee: An individual appointed by the Pierce County Executive to serve as a member of the Pierce County Library System Board of Trustees.

Policy

No Trustee or administrative-level Director may use his or her position to obtain financial or other gain for their own benefit, or to benefit a relative or significant other, or any entity in which the Trustee, employee or their relative or significant other has a significant ownership interest.

No Trustee or administrative-level Director shall accept or receive, directly or indirectly, any money, anything of value, or any promise for future benefit, from any person or entity that does business with the Library. This policy does not apply to gifts or honorariums which are de minimus or have a value of \$100 or less, provided that the receipt of such gift or honorarium is promptly reported. The report of a de minimus gift or honorarium should be made to the Library’s Staff Experience Director in writing or by e-mail and should contain “de minimus gift or honorarium report” in the subject line.

Obligation to promptly report Conflict of Interest or Receipt of Gift or Honorarium that is not de minimus.

If any Trustee or administrative-level Director perceives a possible conflict of interest position for any other Trustee or executive-level Director, the possible conflict shall immediately be brought to the attention of the Board of Trustees.

A Trustee or administrative-level Director who recognizes an actual or potential conflict of interest or receives a non-de minimus gift or honorarium must promptly disclose any financial or personal beneficial interest, direct or indirect, and abstain voluntarily from discussion, voting, or decision-making on any issue that raises such conflict of interest. The report of a non-de minimus gift or honorarium or conflict of interest should be made to the Executive Director and the chair of the Board of Trustees in writing or by e-mail and should contain “Potential Conflict of Interest Report or Report of non-de minimus gift or honorarium” in the subject line.

Remedies

The Board as a whole shall determine whether the issue represents a conflict of interest, and issue a course of action mitigating such conflict of interest, including any action related to the failure to promptly report a potential conflict of interest.

Library Responsibilities

The Executive Director shall define, stipulate, make available, and enforce administrative policies that address conflict of interest for all its employees. Such policies shall be developed in accordance with Washington State law.

**Adopted by the Board of Trustees of the Pierce County Rural Library District October 17, 2007.
Revised June 12, 2013.**

Related Policies:

Conflict of Interest – Employment (Nepotism)

Outside employment