



# Code of Ethics and Conflict of Interest

300 W. Merrill St. Birmingham, MI 48009 | 248-647-1700 | [www.baldwinlib.org](http://www.baldwinlib.org)

## Section 1 PUBLIC POLICY

It is the policy of the Baldwin Public Library ("Library") that all Library officials, employees and consultants act in an ethical matter in the carrying out of their respective Library responsibilities and avoid conflicts between their private interests and those of the public whom they serve. In order to maintain the public's confidence in the integrity and impartiality of Library officials, employees and consultants, it is desirable that adequate guidelines be established, promulgated and adhered to by all persons having Library responsibilities.

## Section 2 DEFINITIONS

- 2.1 Officials: Officials means elected members of the Library Board of Directors ("Board"), the Director and any assistant Director(s) appointed by the Library Board.
- 2.2 Employees: Employees means all persons employed by the Library who receive compensation as an employee for services rendered.
- 2.3 Consultants: Consultants means persons engaged by the Library to provide professional services who receive compensation as an independent contractor.
- 2.4 Unauthorized Compensation: Unauthorized compensation means any money, property or benefit received or conferred upon any official, employee or consultant in connection with his or her Library responsibilities, from any person, other than compensation lawfully paid by the Library for services rendered or property provided to the Library that is not in conflict with this code of ethics and conflict of interest.
- 2.5 Library Responsibilities: Library responsibilities means the duties and authorities lawfully granted to any Library official, employee or consultant.
- 2.6 Related Person and Related Entity: A related person means the spouse or a parent, child, sibling or domestic partner of a Library official, employee or consultant or a spouse of a related person. A related entity means any business entity in which the official, employee or consultant or any related person has an ownership interest of more than four percent.
- 2.7 Decision-Making: Decision-making means exercising authority vested in elected or appointed officials or employees participating in the making of a decision to obtain services or property for the Library.

### **Section 3     ETHICS**

3.1     Obligations of Public Officials, Employees and Consultants: Library officials, employees and consultants will faithfully adhere to any oath of office, comply with all applicable laws, carry out their respective Library responsibilities impartially and in the public interest and observe the standards of integrity expected of public officials, employees and consultants.

3.2     Prohibition Against Unauthorized Compensation: A Library official, employee or consultant will not solicit on behalf of any person or receive, directly or indirectly, any unauthorized compensation from any person in connection with the performance of their Library responsibilities. The foregoing prohibition will not apply to any lawfully permitted and properly reported contribution in connection with a public election for members of the Library Board.

3.3     Confidential Information: A Library official, employee or consultant will not disclose any confidential information, defined by Library policy, to any unauthorized person prior to any lawful release of such information to the public.

### **Section 4     CONFLICT OF INTEREST**

4.1     Prohibition Against Business Transactions: A Library official will not engage in any business transaction for profit with the Library, provided this prohibition will not apply to compensation paid to an appointed official pursuant to an employment contract or arrangement lawfully authorized by the Library Board.

4.2     Non Use of Confidential Information: A Library official, employee or consultant will not use confidential information not available to the public to derive any financial benefit for such person or any related person or related entity.

4.3     Disclosure and Recusal: A Library official, employee or consultant who would otherwise be part of any decision-making for the Library, will make full disclosure of any related person or related entity who has expressed an interest in making or who intends to make or does make a proposal to provide a service or property to the Library. A Library official, employee or consultant will recuse himself or herself from decision making involving any matter in which a disclosure is required unless the reason for making such disclosure is eliminated prior to any decision making.

4.4     Equal Treatment with Public: A Library official, employee or consultant will not use his or her position to solicit or receive any special benefit, advantage or preferential treatment for such person or any related person or related entity beyond that available to the public.

### **Section 5     EFFECTIVE DATE, IMPLEMENTATION AND ENFORCEMENT**

5.1     Effective Date: This Code will be effective July 21, 2003.

5.2     Responsibility for Implementation and Enforcement: The Library Board will retain ultimate responsibility for the implementation and enforcement of this Code but may delegate such responsibility to the Director or an assistant Director with respect to any Library employees.

5.3 Acknowledgement of Delivery of Code: Each Library official, employee or consultant will receive a copy of this Code upon becoming a Library official, employee or consultant and will acknowledge such receipt and the obligations of such person under this Code in writing.

5.4 Recording of Disclosure under Conflict of Interest Provisions: Any disclosure of a Library official or consultant will be recorded in the minutes of a meeting of the Library Board. Any disclosure of a Library employee will be recorded by the Library Director or, if so delegated, by an assistant Director, and reported to the Library Board.

5.5 Determination of Conflict of Interest: Any question involving the application of this Code to a Library official or consultant will be resolved by the Library Board provided that a Library Board member who is the subject of the question will not participate in that decision. Any question involving a Library employee will be resolved by the Director or, if so delegated, by an assistant Director. An employee not satisfied with this resolution may have the resolution reviewed by the Library Board. All decisions by the Library Board will be final and binding. The Library Board may engage counsel to assist in any determination under this Code.

**ACKNOWLEDGEMENT BY OFFICIAL, EMPLOYEE OR CONSULTANT**  
**CODE OF ETHICS AND CONFLICT OF INTEREST**  
**BALDWIN PUBLIC LIBRARY**

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

Status (official, employee or consultant) \_\_\_\_\_

*The undersigned acknowledges:*

1. Receipt of the Baldwin Public Library Code of Ethics and Conflict of Interest,  
and
2. His or her obligations under this Code.

Signature \_\_\_\_\_

Date \_\_\_\_\_