

# Claverack Free Library

---

## Conflict of Interest Policy

**Adopted: March 2014**

The purpose of the following policy and procedures is to prevent the personal interest of staff members, and board members from interfering with the performance of their duties to the Claverack Free Library, or result in personal financial, professional, or political gain on the part of such persons at the expense of the Claverack Free Library or its patrons, supporters, and other stakeholders.

As a nonprofit, tax-exempt organization, the Claverack Free Library depends upon philanthropic gifts of time and money from the public as well as contracts from government agencies.

Maintenance of our organization's tax-exempt status and public position depend upon the highest standards of ethical and professional practice, including compliance with all relevant laws and regulations. The community – including private donors and volunteers and federal, state and local corporate and tax officials – views the operations of the Claverack Free Library as a public trust. As a public trust, the Claverack Free Library is subject to scrutiny by and accountability to such governmental authorities as well as to members of the public.

Consequently, there exists between the Claverack Free Library and its employees and volunteers a broad and unbending duty of loyalty and fidelity.

## **DEFINITIONS:**

Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. "Interest" means a direct or indirect pecuniary or material benefit accruing to a Library trustee or employee as the result of a contract with the Library which such officer or employee serves. Persons in a position of trust include staff members, officers, and board members of the Claverack Free Library. Board means the Board of Trustees. Officer means an officer of the Board of Trustees. Volunteer means a person -- other than a board member -- who does not receive compensation for services and expertise provided the Claverack Free Library. Staff Member means a person who receives all or part of her/his income from the payroll of the Claverack Free Library. Patron means a Customer of the Claverack Free Library. Supporter means corporations, foundations, individuals, 501 (c) (3) nonprofits, and other nonprofit organizations that contribute to the Claverack Free Library.

## **SCOPE**

The scope of this policy includes Board members and officers, committee and task force members, other volunteers, and employees.

Upon appointment, and annually thereafter, affected individuals are required to disclose specific circumstances that may represent an actual, perceived, or potential conflict of interest or commitment. The person should not only consider the actual fact of conflict, but the appearance to an unknowing third party who might have occasion to

judge or interpret the situation.

In addition to the annual reporting, actual, potential and/or perceived conflicts of interest shall be reported in writing as soon as they arise.

Any such report shall be forwarded to the Director of the Claverack Free Library for official presentation to Board.

The Director and Board President shall attempt to resolve any action or potential conflict, and shall respond in writing to the individual. In the absence of a resolution, the conflict shall be referred to the Board of Trustees for action.

The individual in conflict shall absent him/herself from the room during any discussion or deliberations related to the issue, and shall refrain from participating in decision-making in connection with the matter. The individual's presence at the meeting shall not be counted in determining whether there exists a quorum.

## **POLICY AND PRACTICES**

A conflict of interest or commitment generally arises when an individual has the opportunity to influence decisions in ways that could lead to personal benefit or improper advantage resulting in the compromise or appearance of compromise of the individual's judgment and ability to carry out his/her professional duties objectively.

This refers to any social, professional, personal or organizational affiliation, commitment, activity or undertaking that is so substantial as to interfere or appear to interfere with the individual's responsibility to the Claverack Free Library.

1. Full disclosure, by notice in writing, shall be made by the interested parties to the Director, to present to the full Board of Trustees in all conflicts of interest, including but not limited to the following:

- a. A Board of Trustee is related to another board member or staff member by blood, marriage or domestic partnership.
- b. A staff member in a supervisory capacity is related to another staff member whom she/he supervises.
- c. A board member or his/her organization accrues a direct or indirect pecuniary or material benefit from an Claverack Free Library transaction or staff member of such organization receives payment from the Claverack Free Library for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
- d. A board member or staff member is a member of the governing body of a contributor to the Claverack Free Library.
- e. Advancing a personal agenda or agenda from another organization.

- f. Using the association with the Claverack Free Library in connection with the promotion of partisan politics, religious matters, any other cause, or positions on any issues not in conformity with the position of the Claverack Free Library.
- g. Holding any ownership interest in a business or profession that provides goods or services to the Claverack Free Library.
- h. Receiving compensation for services to the Claverack Free Library other than approved compensation for staff.
- i. Accepting favors, gifts, gratuities, or taking part in any activities or transactions that relate to, affect or influence decisions made for, regard, or on behalf of the Claverack Free Library.
- j. Using donor or client information or relationships inappropriately or in ways that might damage donor confidentiality and/or relationships with the Claverack Free Library.
- k. Participating in any arrangements or transactions that might give the appearance of a conflict of interest.
- l. Using the Claverack Free Library name, emblem, endorsement, services and property for anything other than authorized the Claverack Free Library activities
- m. A volunteer working on behalf of the Claverack Free Library who meets any of the situations or criteria listed above.

2. Following full disclosure of a possible conflict of interest or any condition listed above, the Board of Trustees shall determine whether a conflict of interest exists and, if so the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect Claverack Free Library's best interests. Both votes shall be by a majority vote.

3. No Board Trustee shall serve as an employee of the Claverack Free Library.

4. An interested Board member, officer, or staff member shall not participate in any discussion or debate of the Board of Trustees, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present board or committee member.

5. Anyone in a position to make decisions about spending the Claverack Free Library's resources (i.e., transactions such as purchases contracts) – which may result in a conflict of interest has a duty to disclose that conflict as soon as it arises (or becomes apparent); s/he should abstain in any final decisions.

6. A copy of this policy shall be given to all Board members, staff members, or other key stakeholders upon commencement of such person's relationship with the Claverack Free

Library or at the official adoption of stated policy. Each board member, officer, staff member shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

7. The disclosure form must be filed annually by all specified parties.