



CITY OF CHICAGO



BOARD OF ETHICS

THE ANNUAL HOLIDAY GIFT REMINDER FROM THE BOARD OF ETHICS—2022 VERSION

We are, as City governmental personnel, subject to restrictions on what gifts we can receive, whether during the annual holiday season or any other time. This brief guide explains the restrictions in City law. Violations of these laws could lead to employment sanctions, removal from office, and/or fines up to \$20,000 per violation. No gift is worth *that*.

Remember also to check on your own department's or office's gift rules, because they may be stricter than those in the City's ethics laws. Ask your departmental ethics officer! They're listed here:

<https://www.chicago.gov/city/en/depts/ethics/provdrs/ethicsofficers.html>



The Prohibitions

▶ You can't solicit or accept any cash or gift card in any amount, unless it fits into one of the limited exceptions listed below.

▶ You can't solicit or accept any single non-cash, non-gift card gift, or combination of gifts, worth more than \$50 from a single source* in a calendar year, unless it falls into one of the limited exceptions below.

*Note: the Board views *all* personnel from the same company, for example, 3-4 employees from a vendor of your department, as the *same* gift-giver: so you could accept only up to \$50 in non-cash gifts in a year *from all of them combined*.

▶ You can't accept any anonymous gift unless it falls into one of the limited exceptions below.

▶ You can't solicit or accept anything based on an understanding that your City decisions, actions or judgments will be affected by the gift—there are no exceptions to this rule.



The Exceptions

You may solicit or accept:

▶ Any gifts from your relatives, including cash or gift cards, in any amount;

▶ Any gifts from personal friends, unless you have reason to believe the gift was offered because of your City position
Note: the Board advises that "business friends" are not personal friends – a personal friend is someone you know independently of your City position;

▶ Anything for which you pay fair market value;

▶ Anything offered to members of the public on the same terms, like sales promotions or discount tickets;

▶ Gifts you accept on the City's behalf, but: i) you must report them in writing to the Board of Ethics and City Comptroller; and ii) the gifts must be useable for City business purposes or displayed or put out for the public's enjoyment – like candy or Poinsettias; and

▶ Gifts offered to you or your family members because of your or their outside, non-City business, employment, or community activity.

NOTE: You won't violate the law if you promptly take reasonable action to pay for or return a prohibited gift or transfer any tangible or perishable gift to a tax-exempt charity.



Gifts From Other City Personnel

▶ City employees may give any gift to co-worker(s) who are not their official superior*(s).

▶ However, they may not give their official superior(s), and official superior(s) may not accept from their subordinate(s)**, any holiday gift other than a non-cash item or gift card worth \$10 or less

▶ City employees may not solicit co-workers for a holiday gift to their own official superior.

▶ Gifts for “white elephant,” “Secret Santa,” or grab-bag parties must be worth \$10 or less and cannot be cash in any amount but may be gift cards.

▶ Official superiors may never coerce their subordinates into giving or contributing to a gift.

▶ For in-office holiday parties, employees may contribute any amount toward food or drinks to be shared in the office among co-workers.

*“Official superior” means any other City employee(s) or official(s) including your supervisor(s), whose official responsibilities include directing or evaluating your performance—and the Mayor herself.

**An employee is considered to be the subordinate of any of his official superiors.

REMEMBER: The Board of Ethics can help you figure out whether a gift or specific party plan is acceptable. Before accepting any gift, always consider not only whether the law allows you to keep it, but whether your acceptance could create the perception that your independent judgment or integrity could be compromised. *When in doubt, just say “no thanks.”*

Please call The Board of Ethics in advance for confidential advice or guidance. There's no such thing as a silly question. One of our attorneys will gladly advise you.



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