

August 11, 2003

CONFIDENTIAL

[Mary]
Chicago Public Library
Harold Washington Library Center
400 S. State Street
Chicago, IL 60605

Re: Case No. 03039.Q

Dear Ms. [Mary],

You are the Director of [] for the Chicago Public Library (CPL). In this position, you are responsible for []. You are also an active member of the American Library Association (ALA), regularly attending ALA events, specifically those relating to collection development and management. On July 31, 2003, the Federation of Spanish Publishers Associations extended an invitation to you to attend the LIBER International Book Fair in Madrid. LIBER is sponsored by the Federation of Spanish Publishers Associations, and all your expenses will be paid by that organization. You have asked staff whether you may accept this offer.

LIBER, which is held annually, is the world's largest Spanish-language book fair, drawing representatives of over 800 publishing houses, as well as librarians, book sellers and distributors, authors and journalists, from all over the world. At LIBER, you will have the opportunity to improve your knowledge of and familiarity with the leading professionals—publishers, booksellers, distributors, authors, journalists, designers, dealers—in the Spanish and South American publishing world, as well as sharing ideas and experiences with fellow librarians. You have stated that your attendance at LIBER would benefit the City and enhance your ability to perform your City duties, and that your Commissioner would like you to attend. You will leave Chicago on Monday, September 29 and return Saturday, October 4.

The invitation consists of payment of coach round-trip air fare, accommodations at a first class hotel for the four nights of the fair, and registration and admission tickets for all events and activities organized and related to the fair. Further, according to the letter, you are advised that “guests should assume expenses surpassing the established conditions...”. You stated that, for a number of years, the Federation of Spanish Publishers Associations has extended these invitations to U.S. librarians and booksellers interested in Spanish language books. You explained that invited library officials are generally from major U.S. cities with large Spanish-speaking populations. According to a conversation you had with the Trade Commission of Spain, approximately 20 librarians and booksellers throughout the United States are being extended this invitation this year. Chicago Public Library employees have been invited in the past, and have accepted the expenses and attended. You believe that you have received this invitation as a result of your involvement with the American Library Association and because of your position with the CPL.

Under Section 2-156-040 of the Ethics Ordinance, City employees are permitted to accept hosting expenses, including travel and entertainment expenses, if:

- (1) the expenses are reasonable;
- (2) the expenses are furnished in connection with public events, appearances or ceremonies related to official City business;
- (3) the expenses are furnished by the sponsor of the public event; and
- (4) the offer is not based upon any mutual understanding that the official decisions or actions of any City employee concerning the business of the City would be influenced.

Based on our review of the invitation materials you sent us on August 7, and on conversations with you, staff finds that all the conditions listed in §040 (d) of the Ordinance are met, and concludes that the Ordinance does not prohibit you from accepting the hosting expenses from the Federation of Spanish Publishers Associations. Our conclusion is consistent with advice we have given to similarly situated employees in the past. (*See* Case No. 02029.A, in which Board staff advised a library employee that she was not prohibited from accepting the invitation to attend LIBER, as all the conditions in Sec. 2-156-040(d) of the Ordinance were met. *See also* Case No. 98035.Q, in which Board staff advised a City employee that he was not prohibited from accepting the payment of reasonable travel and hosting expenses to attend an industry-wide product marketing conference, from the conference sponsor.)

Staff's opinion is not necessarily dispositive of all issues relevant to this situation, but is based solely on the application of the City's Governmental Ethics Ordinance to the facts stated in this opinion. If the facts stated are incorrect or incomplete, please notify us immediately, as any change may alter our opinion. Other laws or rules also may apply to this situation. Be advised that City departments have the authority to adopt and enforce rules of conduct that may be more restrictive than the limitations imposed by the Ethics Ordinance.

We appreciate your inquiry and your concern to abide by the standards embodied in the Ethics Ordinance. If you have any further questions, please do not hesitate to contact us.

Very truly yours,

John H. Mathews
Legal Counsel

Approved by:

Dorothy J. Eng
Executive Director