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| <b>Policy and Procedure Manual</b>   | <b>Section A19</b>   |
| <b>Governance and Organizational Structure:</b><br>Indemnification of Officers, Volunteers and Employees | Issued : May 19, 2014; Revised June 17, 2019<br><br>Approving Authority: Board of Library Trustees |

Indemnification of Officers, Volunteers, and Employees Policy

If any claim or action not covered by insurance or another contract, by virtue of which an officer, employee, or volunteer is entitled to a defense of the action in question, is instituted against any officer, employee, or volunteer of the Orland Park Public Library based on an injury allegedly arising out of an act or omission occurring within the scope of his or her employment and/or his or her duties as such officer, employee, or volunteer of the Orland Park Public Library, the Orland Park Public Library shall at the request of the officer, employee, or volunteer:

1. Appear and defend against the claim or action;
2. Pay or indemnify the officer, employee, or volunteer for his/her court costs and reasonable attorney’s fees incurred in the defense of such claim or action;
3. Pay or indemnify the officer, employee, or volunteer for a judgment based on such claim or action, provided there shall be no indemnification for any portion of a judgment representing an award of punitive or exemplary damages; and
4. Pay or indemnify the officer, employee, or volunteer for a compromise or settlement of such claim or action providing the settlement is approved by the Board of Library Trustees.

For the purpose of this policy, the term “officer” shall include both elected and appointed officers and trustees. The term officer, employee, or volunteer shall include former officers, trustees, employees, and volunteers.

If an officer, employee, or volunteer of the Orland Park Public Library is a defendant in any criminal action arising out of or incidental to the performance of his or her duties, the Orland Park Public Library shall not provide representation for the officer, employee, or volunteer in that criminal action. However, the Orland Park Public Library may reimburse the officer, employee, or volunteer for reasonable defense costs only if the criminal action was instituted against the officer, employee, or volunteer based upon an act or omission of that officer, employee, or volunteer arising out of and directly related to the lawful exercise of his or her

official duty or under color of his or her authority and that action is dismissed or results in a final disposition in favor of that officer, employee, or volunteer.

Nothing in this policy shall be construed to prohibit the Orland Park Public Library from providing representation to an officer, employee, or volunteer who is a witness in a criminal matter arising out of the scope of his or her employment and/or his or her duties as such officer, employee, or volunteer of the Orland Park Public Library

This indemnification policy shall not apply if the Board of Library Trustees finds that the claim or action is based on malicious, willful, or criminal misconduct. In such a case, the action to be taken by the Board of Library Trustees will be determined after an investigation of the facts.

**Approved by Board of Library Trustees May 19, 2014; Revised June 17, 2019**