

I. PURPOSE

To provide guidelines to employees regarding the acceptance of gifts and gratuities.

II. POLICY

The giving or receiving of gratuities involving Agency employees, or when representing the Agency at any type of meeting, function or event, is always potentially controversial and must be guided by sound judgment and common sense. Exchanges of gifts or favors could damage the public's perception of the Agency as providing fair and impartial service to all citizens.

Acceptance of gifts in exchange for "favors" or "influence" or under circumstances which would tend to compromise the effective discharge of duties is subject to disciplinary action including suspension, demotion or dismissal.

Professional and personal affairs must be conducted in a manner which gives the clear impression that one could not be improperly influenced in the performances of official duties. These standards are achieved by:

- Not engaging in any activity which is, in fact or could be reasonably viewed as, in conflict with one's official duties;
 - Not engaging in the use of Agency time, facilities, equipment, supplies or the badge, uniform, prestige or influence or one's position for other than official purposes;
 - Not accepting personal favors or financial gain.
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Gifts and Gratuities, Continued

- A. Definition: Gratuities include the giving and/or receiving of tangible and/or intangible items between an Agency employee and individuals, business firms, non-profit organizations and public entities which do business with, or who would like to do business with, the Agency or whose activities are regulated by the Agency.
- B. Prohibitions: Gratuities under the following circumstances are prohibited:
1. Giving or receiving gifts, services, entertainment, meals, personal favors or other material items which influences, is intended to influence, or which may reasonably appear to influence, judgment. The monetary value involved is not to be used as the criteria for a gratuity in this instance. Regardless of the monetary value or intent involved, if a gift or favor influences, or may reasonably appear to influence an employee's judgment, it is an improper gratuity.
 2. Giving or receiving gifts, services, entertainment, meals, personal favors, or other material items which may reasonably give rise to accusations of impropriety. The exercise of sound judgment is the best means to preclude this type of accusation. When any doubt exists regarding the advisability of giving or receiving a gratuity, it is best not to do it. If there is any uncertainty, consult the General Manager.
 3. When having a meal with representatives of a business firm, non-profit organization or individual that does business with the Agency or whose activities are regulated by the Agency, employees must pay for their share of the cost. If employees are invited to attend industry functions where tickets are sold, such as the Building Industry Association, Association of General Contractors, etc., they must pay for their own ticket.
 4. Under no circumstances are gifts of cash to be accepted, regardless of the amount.
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Gifts and Gratuities, Continued

- C. Anonymous Gifts: There may be circumstances in which a gift is given anonymously or in such a way that it is difficult to return. In these circumstances, the gifts should immediately be called to the attention of the employee's supervisor and given to an appropriate department or non-profit charitable organization.
- D. Acceptance of Gratuities: Except as prohibited above, it is usually allowable to accept the following gratuities:
1. Small gifts which contain a company's logo or name and are recognized marketing tools for the company or organization, however, all gifts must be declared to the employee's supervisor.
 2. Attendance at a company's open house or company party if it is open to all of their clients and not restricted to you or the Agency.
 3. A meal and/or small gift from an organization for performing a service such as speaking at a function or serving on a review board, however, all gifts must be declared to the employee's supervisor.
 4. A meal and/or other reasonable expenses provided by another public agency when working with staff of that organization as a representative of the Agency such as serving on a review board.
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