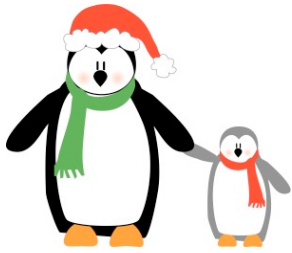


THE ANNUAL HOLIDAY GIFT REMINDER

FROM THE BOARD OF ETHICS



It's holiday season again, and time for our yearly reminder regarding acceptable gifts. We are, as City government personnel, subject to restrictions on what gifts we can give and receive.

This brief guide explains the gift rules. If you don't follow them, you could subject yourself to employment sanctions, removal from office, and/or fines. No gift is worth that.

Remember also to check your own department's or office's gift rules, as they may be stricter than those in the Ethics Ordinance. Ask your departmental ethics officer about that.

Here are the key rules in the City's Governmental Ethics Ordinance:

- You can't solicit or accept any cash or gift card in any amount, unless it falls 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.
- 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 it—no exceptions.
- These rules also apply to gifts offered to or accepted by your spouse or domestic partner, and immediate family members residing in the same residence as you.

Here are the **limited** exceptions:

- Gifts from your relatives;
- Gifts from a personal friend, unless you have reason to believe that your friend offered the gifts to you because of your City position;
- Anything for which you pay fair market value;
- Anything offered to the public on the same terms, like sales promotions;
- Gifts you accept on the City's behalf, as long as they're reported to the Board and Comptroller;
- Reasonable hosting or travel expenses for events or trips related to official City business, but only if offered by the sponsor or host of the event (and you must report them to the Board within 10 days of your attendance);
- Materials or travel expenses related to public or governmental educational purposes, as long as the Board of Ethics approves the event or travel beforehand (and you must report them to the Board within 10 days of your attendance); and
- Gifts offered to you because of your outside, non-City business or employment.



GIFTS FROM OTHER CITY PERSONNEL, OFFICE PARTIES



- ❖ City employees may give any gift to co-worker(s) at their level or at a lower pay rate.
- ❖ However, they may not give their official superior(s) any holiday gift other than a token item worth \$10 or less—and no cash or gift cards.
- ❖ Nor may they solicit co-workers for a gift to any official superior.
- ❖ For “white elephant” or grab-bag parties, no gifts should be worth more than \$10, and no gift cards or cash can be given or accepted.
- ❖ No official superior may ever coerce his or her subordinates into giving or contributing to a gift.
- ❖ For an in-office holiday party, 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), including your immediate supervisor(s), whose official responsibilities include directing or evaluating your performance—and the Mayor himself.

NOTE: You do not violate the law if you promptly take reasonable action to return a prohibited gift or transfer any tangible or perishable gift to a charity that is tax-exempt under §501(c)(3) of the Internal Revenue Code.

Remember: The Board of Ethics can help you figure out whether a gift or party arrangement is acceptable. Please call us in advance. There’s no such thing as a dumb question, and of course it’s better to ask.

Also remember: Before accepting any gift, always consider not only whether the law allows you to keep it, but whether your acceptance may create the perception that your independent judgment or integrity could be compromised. When in doubt, always say “no thanks.”



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