

Procedure 401-5: Accepting and Soliciting Gifts

Accepting personal gifts from clients, vendors, suppliers, patrons, and others can create a conflict of interest or the appearance of a conflict of interest or improper favoritism. The term “gift” includes favors, gifts, gratuities, loans, and discounts. This procedure establishes standards for acceptance and solicitation of gifts by employees. It is not applicable to elected officials. The Election Commissioner and employees appointed by the Board of County Commissioners may seek exceptions from the Chair. Employees appointed by the Sheriff may seek exceptions from the Sheriff.

Employees may not accept gifts from any person, business, or organization under circumstances that a reasonable person would question or where the giver would have reason to expect something in return.

The following gifts are generally acceptable:

- Items that can be shared with the work unit such as gifts of food during the holidays.
- Food and beverages paid for by third parties during working meetings with County staff or where the employee’s attendance at the meeting or event where the food and beverages offered serve a legitimate County purpose or interest.
- Items received in a random raffle or drawing at a conference or other work-related event.
- Gifts from relatives or personal friends where it is obvious that the gift is not being given because of the official position of the public official.
- Political contributions reported and accepted in compliance with election laws.
- Awards from professional associations or not for profit organizations provided that the organization does not have a contractual relationship with the County and is not seeking to do business with the County.

Gifts that cannot be accepted, include, but are not limited to, the following:

- Cash or gift cards in any amount.
- Gifts intended solely for a particular employee.
- Free or discounted entertainment including tickets to the theater, sporting events, and concerts except for widely attended events that the employee attends in an official capacity.
- Any gift from a current or prospective vendor unless preapproved by the department/agency/office leader, excluding holiday gifts that can be shared with the work unit.
- Any other gifts that do not fall within the “gifts that are generally accepted” listing, but where it can be reasonably inferred that the purpose of the gift is to influence employees in the performance of their duties.

Solicitation

No employee may solicit gifts from clients, vendors, suppliers, patrons, or others except as provided in the County Fundraising Guidelines, as authorized by the Board of County Commissioners, or as authorized elsewhere in County policies.

Reporting

Employees should politely decline prohibited gifts. Where a prohibited gift cannot be declined, employees should report the gift to their department/agency/office leader. Depending upon the circumstances, the gift may be returned, shared with the work unit, used for County purposes, or donated. Where there is a question as to whether the gift is prohibited, the department/agency/office leader will make the determination applying the standards set forth in Human Resources Policy 401 including whether acceptance of the gift creates the appearance of unethical conduct.

Effective 05.03.2023, Resolution No. 013-23