

Gifts and Gratuities Policy

Adopted by President's Cabinet 01/26/2016

Revisions Adopted by President's Cabinet 5/22/18

Policy Statement: EGSC is committed to the highest ethical and professional standards of conduct. In order to foster an organizational culture in support of this commitment, members of the campus community should exhibit integrity, good judgment and dedication to public service. This includes commitments to responsible stewardship of public resources and to independent and impartial decision making as public employees. This policy defines gifts and gratuities, provides examples and exceptions, and directs employees to companion policies for further information.

Policy: An employee shall not directly or indirectly solicit, receive, accept or agree to receive a thing of value from a person, corporation, organization, association, lobbyist or vendor by inducing the reasonable belief that the giving of the thing will influence his performance or failure to perform any official action. The acceptance of a benefit, reward or compensation where the purpose of the gift is to influence an employee in the performance of his or her official functions is a felony under Georgia law. An employee, or any other person on his or her behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from a vendor or lobbyist as those terms are defined in Georgia statutes (OCGA 21-5-70(6) and 45-1-6(a)(5)). If a gift has been accepted, it must be returned either to the donor or transferred to a charitable organization. A gift may be accepted by the employee on behalf of the institution subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonable necessary to arrange for the transfer of custody and ownership of the gift.

Definition: For purposes of this policy, a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value.

Examples: The following are examples of actions that violate this policy:

The college's marketing department contracts with a printing vendor to provide printing services for the college. One employee in the marketing department is responsible for selecting the printing vendor for all campus printing. This employee has a long standing established business relationship with the printing vendor. Based on this established business relationship with the vendor, the employee orders personal wedding invitations from the printer. The printer offers the invitations at no charge to the employee. The employee will violate the policy if she accepts the free invitations.

The college's athletic department contracts with an athletic clothing vendor to provide uniforms for its athletic teams. The uniforms are delivered as promised for the teams. The vendor gives an EGSC coach a set of golf clubs for personal use. The employee will violate the policy if he/she accepts the golf clubs.

The college contracts with a general contractor for renovation of a campus facility. The facilities officer responsible for evaluating the construction bids seeks a general contractor for his personal kitchen renovation. The general contractor approaches the facilities officer and offers the work at a substantial discount. The employee will violate the policy if he accepts the discount.

Exceptions: The following are not considered gifts and would not violate this policy:

- Food or beverages consumed at an occasional meal or event, provided the value is reasonable under the circumstances, but in no event exceeds \$100 per person;
- Food, beverages and registration at group events to which substantial numbers of USG or EGSC employees are invited;
- Food, beverages or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions and activities;
- Actual and reasonable expenses for food, beverages, travel, lodging and registration to permit participation in a meeting, demonstration or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his or her designee.
- Promotional items generally distributed to the general public;

- Textbooks, software and instructional materials to be reviewed by teaching faculty;
- An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement;
- Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade or profession;
- Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with USG policies, EGSC policies and Georgia law;
- Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution;
- Gifts to or from USG Foundations, EGSC Foundation or other separately incorporated charitable entities.

Companion Policies: Employees should make every effort to avoid even the appearance of a conflict of interest. An appearance of a conflict of interest exists when a reasonable person will conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, is compromised by a personal, financial or business interest. Employees are also directed to the Georgia Conflict of Interest statutes OCGA 45-10-20 – 45-10-70, Board of Regents Ethics Policy, Gratuities Policy, Conflicts of Interest and Conflicts of Commitment Policy and the Political Activities Policy of the Board of Regents and EGSC, as applicable.

Violations of this policy may result in disciplinary action up to and including termination of employment.