

# FINANCIAL MANAGEMENT

## Policy 30303: Acceptance of Personal Gifts

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### 1. PURPOSE

At times, State employees may be faced with the offer of gifts, gratuities, rewards, or travel in performance of their job function. This policy states what is allowable and what is not in acceptance of any item from another source.

### 2. POLICY

2.1. An employee of Germanna Community College is in a position of public trust and cannot accept:

- Money or other things of value, for services performed within the scope of his/her official duties except for compensation, expenses or other remuneration paid directly to him/her or approved for him/her by Germanna Community College (GCC).
- Money, gift loan, advance, favor, special discount, or service of material value that might reasonably tend to influence him/her in the discharge of his/her duties.
- Money or anything of value for or in payment of employment, an appointment, a promotion, or a privilege with GCC.
- A business or professional opportunity for financial benefit, if he/she knows or should know that the opportunity is offered to influence the discharge of his/her official duties.
- A business or personal trip paid for by a vendor, for any reason whatsoever, without first obtaining written approval from the Vice President of Administrative Services.
  - The Purchasing Agent can arrange, through the procurement process, for vendors or potential vendors to pay for travel to inspect or be trained on new equipment. Such arrangements should be approved **before** Purchasing issues the request for proposal or invitation to bid.
  - If a department wants an employee to travel at a vendor's expense and the arrangements were not part of the procurement process, several measures need to be taken. **At least two weeks prior to the travel** the department head should:
    - Request the Division of Purchasing Services to issue an opinion to the appropriateness of the vendor-paid travel.
    - Notify the Vice President of Administrative Services or President of the decision.

2.2. An employee having authority to conduct or influence the buying of goods or services for the college must not solicit or accept any gift, payment, loan or anything else. This does not prohibit employees from buying goods or services, or obtaining loans, for their personal use where they pay equal consideration for the goods, services or loans.

- 2.3. *An employee **can** accept miscellaneous items bearing advertising, such as matches, calendars, rulers, note pads, or other items of nominal or minimal value from a bidder, offeror, contractor, or subcontractor. An employee can accept meals and beverages from vendors when offered to a large group of people at a trade show, exhibit or other professional meeting.*
- 2.4. All goods and services acquired by GCC, through purchase, gift, or otherwise, become the property of GCC. Discount coupons or other things of value received in connection with a procurement transaction, even if not included in that transaction, also become the property of GCC. Any employee receiving such items should immediately notify the Purchasing Agent of the receipt. Such notification must occur within three business days.
- 2.5. If the item can be used for college business by the employee's department making the original purchase, the department will be authorized to retain the item. If the department cannot use the item, the Purchasing Agent will transfer the item to another department, which can use it. If the item was received by an academic division department employee, an attempt will be made to assign it to another academic division or department before offering it college wide.
- 2.6. Under no circumstances can the item be given to or retained by the employee for his/her personal use.
- 2.7. Acceptance of gifts or other special benefits can give the appearance of impropriety, compromise the employee's integrity, or potentially place an employee in a conflict of interest situation. Under certain circumstances, the employee could be charged with fraud.
- 2.8. Rather than accepting such a gift or special benefit, employees should suggest the vendor keep it and instead provide better service in the future. Otherwise the gift or special benefit becomes the property of GCC. The department receiving the gift or benefit should notify the vendor of the fact when the gift or special benefit is received.

### 3. **PROCEDURES**

### 4. **DEFINITIONS**

- 3.1. **Gifts or other special benefits** – money, meals, loans, entertainment, advances, favors, special discounts, certificates, coupons, services, free merchandise, or any other thing of value.

### 5. **REFERENCES**

University of VA Financial & Administrative Policy VII.D.5

Code of Virginia, Article 4, sections 2.2-4367 through 2.2-4377

Department of General Services, Division of Purchases and Supply

*Agency Procurement and Surplus Property Manual*

**6. POINT OF CONTACT**

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**7. APPROVAL AND REVISION DATES**

Reviewed and Revised by: Suzanne Swinson  
February 11, 2008  
Reviewed and Approved by: President's Council  
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