



POLICY AND PROCEDURE MEMO

SUBJECT:

GIFTS AND PRIZES

NO. 1.012
DATE: 12-27-2007 Appr. JS
10-16-13 Revised

[Signature]
CITY MANAGER

I. STATEMENT

The City of Rochester perceives that gifts or entertainment of more than nominal value may be interpreted as intending to influence judgment and could possibly cause an employee to be placed in a compromising situation. Therefore, it is the policy of the City of Rochester to prohibit public officials or public employees, or their family members to solicit or knowingly accept, directly or indirectly, any inappropriate gift, as described in this chapter from an individual or entity that may request or has requested services or business with the City. Common sense on the part of employees regarding the acceptance of gifts of more than nominal value is the most realistic control; however, it is helpful to have some specific guidelines to follow which interpret the City's policy.

II. DEFINITIONS

Family Members: Any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee, who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents

Gift(s): broadly defined to mean either (1) money in any amount, whether in the form of cash, check or any other negotiable or non-negotiable instrumentality for the transfer of money, or (2) any other tangible thing, intangible thing, service, or the use thereof having more than an insignificant economic value. Any such item with a value \$50 or less that is left on City premises to be enjoyed by all including the public shall not be considered a gift. Gifts include prizes such as door prizes, vendor drawings, and raffles for which the employee did not purchase tickets but was able to be in the drawing as a result of employment with the City. This does not include advertising items such as pens, mugs, calculators, key chains, hats, t-shirts, or other such items with the name of the donor stamped upon them with a value under \$20.

Public Employees: Any person, including but not limited to a classified or non-classified employee or volunteer, who in an official capacity is representing the City and/or Commission, Board, Committee of which the person is a member of.

III. RULE

No public official or public employee, or their family members shall solicit or accept directly or indirectly, any inappropriate gift, as described in this chapter from an individual or entity that may request or has requested services or business with the City.



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Dale W. Fitzgerald
CITY MANAGER

IV. EXCEPTIONS

Any deviation from this policy would require a special exception from the City Manager or his/her designee.

V. PROCEDURE

If requesting an exception from the City Manager or his/her designee.

1. Any gift that an employee is requesting an exception for must be approved by the City Manager or his/her designee.
2. A Gift, Meal & Event Disclosure Form must be completed for each gift and submitted to the City Manager or his/her designee for approval of a special exception within 15 working days from the receipt of such gift.
3. The form outlines the gift, its value, date received, and the donor. If the City Manager does not authorize the employee to retain the gift, he/she will also determine if it belongs to the City or should be returned. If the gift is received by the City Manager, the City Council will make the determination.
4. The employee/public official should forward the completed Gift, Meal and Event Disclosure Form to the City Manager's Office for approval/denial.
5. Once determination has been reached, a signed copy will be returned to the employee.
6. If the gift is to be returned to the donor, it should be returned in the spirit in which it was given along with a thank you and explanation that the gift is being returned based on this administrative procedure. If it is not feasible to personally return the gift, the recipient shall send the gift back to the donor with a note explaining why it is being returned.

See Attached Form(s):

Gift, Meal & Event Disclosure Form

- END OF PROCEDURE -