

# I RECEIVED A GIFT.

## NOW WHAT?

**DON'T PANIC. HERE'S WHAT TO DO:**

**ASK**

Is it from prohibited source?

No

**ENJOY**

The gift!



Yes

**ASK**

Is it a cash gift?  
FYI: Never take cash gifts from prohibited sources. Report immediately to the Inspector General.

Yes

**JUST SAY NO!**

Return gift or pay in full within 3 days with a note to donor and copies to Ethics Board, Chief Integrity Officer, Inspector General, and your direct supervisor.



No

**ASK**

Is there an exception that applies?

No

**ENJOY**

The gift!  
You may need to get special approval if it's a "Gift to the City."



Yes

MORE AWESOME INFO AWAITS ON THE OTHER SIDE



# ALMOST EVERYTHING YOU NEED TO KNOW

## EXECUTIVE ORDER ON GIFTS #10-16

### WHAT IS A GIFT?

Things like: invitations, food, drinks, travel or lodging given to or for the benefit of a City employee unless the employee pays the full value of the gift. Political contributions, commercially reasonable loans (think, home mortgage) or gifts received from a close family member are not considered gifts.

### WHEN IS A GIFT PROHIBITED?

You can't accept a gift of any value if it's from a prohibited source and there isn't an exception that would allow you to accept the gift. A few caveats: cash gifts from prohibited sources are never OK, neither are gratuities (aka tips) or honoraria (aka speaking fees). Attempted bribes must be reported immediately to the Inspector General.

### WHAT'S A PROHIBITED SOURCE? THAT SOUNDS SCARY.

I know, right?! But, seriously, prohibited sources are: 1) registered lobbyists, and 2) any person, who in the 12 months leading up to the gift-giving, a) is seeking/has sought official action from you, b) has operations or activities regulated by your office (and for Cabinet members, this includes all departments in the Executive branch) or c) has a financial or other substantial interest in the acts or omissions you are able to affect through official action. Whew, that is a mouthful! Some examples include, a contractor with or business inspected by your department, or someone asking you to approve their permit application (and you have the authority to do so.)

### WHAT ARE THESE EXCEPTIONS YOU SPEAK OF?

There are times when accepting a gift from a prohibited source is A-OK. Some examples include, 1) invitations to public events, 2) attendance/entertainment at a major life event (weddings, baby showers, 50<sup>th</sup> birthdays), 3) perishable gifts (fruit baskets, but you have to share those), 4) light food/drink at meetings (when the meeting is at a place of business and not off-site at a restaurant), 5) items of little intrinsic value on the occasion of a public appearance, visit or speech (think, plaques or a t-shirt), 6) gifts from your life partner's/spouse's business activities (for example, when you are their plus one to their company's dreaded holiday party), and, 7) "Gifts to the City." These aren't all of the exceptions - if you want to learn more, review Section 3 of the Executive Order.

### TELL ME MORE ABOUT "GIFTS TO THE CITY."

Gifts to the City include, gifts where your attendance, on behalf of the City, serves a legit government purpose (conferences), donations in support of a City initiative, like Community Schools, as well as gifts that are anonymous or impractical to return (when shared/disposed of equitably by your department head). Before accepting a "Gift to the City," review Section 7 of the Executive Order, which details their acceptance procedures.

### I'D REALLY LIKE TO GET MY BOSS A GIFT. THAT'S OK, RIGHT?

In limited circumstances, you can give a gift to your boss. Those circumstances include, 1) when it's a celebration of a major life event or that terminates the boss/employee relationship (like a retirement party), but no cash gifts or gifts over \$99 in either instance, 2) the exchange of nominal gifts (\$10-\$20) at/voluntary donations for an office holiday party, 3) personal hospitality provided at your home, and, 4) a voluntary donation in support of boss's participation in a charity event (boss cannot solicit this nor personally benefit from donation).

### SO, IF I GET A PROHIBITED GIFT AND CAN'T ACCEPT IT, WHAT DO I DO?

Within 3 days, you can either return the gift to the donor, pay for it in full, or have the donor pick it up. In any of these cases, you must send a notice to the donor, with copies to the Executive Director of the Ethics Board, Chief Integrity Officer, Inspector General, and your direct supervisor. The notice must contain your name and title, date the gift was received, the source of the gift, if you are returning, paying in full for, or having donor pick up the gift and the date of that action, and any other circumstances surrounding the receipt of the gift. This sounds like a lot to remember, which is why we have a helpful template on our website for you to use:

[www.phila.gov/integrityworks](http://www.phila.gov/integrityworks), under Resources.

### HAVE QUESTIONS OR NEED ADVICE?

Contact the Chief Integrity Officer at [integrity@phila.gov](mailto:integrity@phila.gov) or 215-686-2178 or 215-686-2120. Please ask for advice before accepting a gift.