



REMINDER: FOLLOW HOLIDAY GIFT RULES

As the holidays approach, keep in mind that as a state employee, you must comply with the gift rules enforced by the Public Officers Law (POL).

Holiday Gift Exchange Rules

When **state employees** exchange gifts, the key factor in determining if a gift is allowed is whether it could appear as an attempt to influence the recipient of the gift in the performance of their state job or is intended as a reward for the employee's official action.

Gift giving among employees during the holidays is generally permissible as long as **participation is optional** (with that option communicated clearly) and there is no intent to influence decision-making.

Supervisors should be especially careful not to create an expectation that gifts are expected or required. When in doubt, please contact your agency Ethics Officer or a COELIG Attorney of the Day for guidance.



Rules on Gifts from External Parties

State officers and employees are **prohibited from soliciting or accepting gifts of more than "nominal value" from individuals and entities that lobby or do business with the state, known as "interested sources"**. The Commission will generally consider something that has a fair market value of **\$15 or more to be a gift**.

A gift **includes but is not limited to** money, services, loans, travel, lodging, meals, refreshments, entertainment, or a promise having a monetary value.

State employees who violate the gift ban are subject to a **fine of up to \$40,000 and the value of the gift**.

Can I accept the following gifts or party invitations?

Promotional items with no substantial resale value – YES

Mugs, pens, paperweights, calendars and other similar items that have a company's logo or name are examples of promotional items.

Invitations to Parties – NO (In most cases)

You may be able to accept an invitation to a holiday party from a person or company that has dealings with your agency only if, under the regulations, the party is considered a "Widely Attended Event," a "Bona Fide Charitable Event," or a "Bona Fide Political Event." Check with your Ethics Officer if you think the party might be one of these events.

Items worth more than \$15 – NO (including fruit baskets, beverages, cookies, and other food)

A perishable gift must be either returned to the sender, donated to charity, or placed in the common area of the office where it is available to all employees. Non-perishable gifts must be returned to the sender.

Additional Information

The rules above apply in most situations. There may be some special circumstances though, that warrant different results. If you think special circumstances may apply to you, contact your Ethics Officer.

Ethics At A Glance

The Commission offers fact sheets to provide quick highlights of the state's ethics laws! Learn more about the gift rules below.

- **Gifts, Tips, or Presents - Can I accept them?**
- **Gift Giving - Can I exchange holiday gifts in the office?**

You can also learn more about the gift rules outlined in the POL by **visiting the Commission's website.**

ETHICS AT A GLANCE

Remember the gift rules!

Now available on the
Commission's website.



Questions?

Contact us by calling 1-800-87-ETHICS (3-8442) or by
e-mail at GUIDANCE@ETHICS.NY.GOV.

All guidance communications with COELIG are confidential.

Contact The Attorney of the Day

The Commission administers an Attorney of the Day program to help provide state officials and employees with free, confidential advice on navigating the state's ethics laws.

By phone:

Press "2" to speak to the attorney of the day **800-87-ETHICS (800-873-8442)**

By email:

Guidance@ethics.ny.gov

COELIG WISHES YOU HAPPY AND HEALTHY HOLIDAYS!

Stay up to date with the Commission!



NYS Commission on Ethics and Lobbying in Government

540 Broadway
Albany, NY 12207

ethics.ny.gov

Guidance@ethics.ny.gov

(P) 518.408.3976

(F) 518.474.6216

NYS COELIG | 540 BROADWAY | ALBANY, NY 12207 US

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