



CITY OF ATLANTA

BOARD OF ETHICS
Caroline Johnson Tanner, Chair
MaryAnne F. Gaunt, Vice-Chair
Brent Adams
Carol Snype Crawford
Shukura Ingram Millender
Kate Wasch

68 MITCHELL STREET SW, SUITE 12130
ATLANTA, GEORGIA 30303-0312
(404) 330-6286
FAX: (404) 658-6077

ETHICS OFFICE
Nina R. Hickson, Ethics Officer
ethicsofficer@atlantaga.gov

HOLIDAY GIFT RULE

Holiday gifts. The holiday gift rule allows officials and employees to accept a gift on behalf of the city from a city contractor, vendor, or customer on special occasions when the gift is:

- Nominal market value
- Perishable
- Impractical to return
- Shared with the public or within the office

FREQUENTLY ASKED QUESTIONS

Can I accept a holiday gift from a prohibited source?

Q: I have received a box of chocolates from a vendor that has a contract with my department. May I keep the gift?

A: City officials and employees may accept gifts of food and flowers on behalf of their agency when the gift is perishable, has a nominal market value, and is impractical to return. The gift must be placed in a public area where other employees or the general public can share it.

The Code of Ethics prohibits city employees and officials from accepting gratuities or gifts from prohibited sources, which includes persons doing business with the City. Accepting a gift from a city vendor or contractor creates the perception that the employee's or official's independence and judgment is being compromised. If an employee or official receives a gratuity, the recipient should return the gift to the donor, pay the fair market value of the item, or give it to a charity in the name of the sender. Because of the practical problems associated with gifts of food, the Board of Ethics adopted a holiday gift rule that permits the acceptance of occasional, modest, and perishable gifts that are shared within the office.

How do I say no?

Q: I received a \$50 gift certificate to a local restaurant with a note of thanks from a group that I have helped over the past two years. How can I explain that I can't accept the gift?

A: When you receive a gift card or certificate from a prohibited source, you have three choices: you may return the gift to the sender, pay the fair market value of the gift, or donate it to a

charity in the name of the sender. Here are examples of how other employees have explained their reasons for returning a gift or donating it to a charity.

Example 1: It was wonderful to receive your letter today inviting me to visit [name of restaurant] this spring. Your menu lists a variety of delectable selections that I will keep in mind for me and my family when we occasionally dine out. I also want to thank you for the \$50 luncheon certificate. However, due to the current City of Atlanta Ethics policy, I am unable to accept this gift certificate (enclosed). Thank you again, and I wish you and [name of restaurant] continued success!

Example 2: Thank you very much for your holiday greetings. We have enjoyed our working relationship with [name of company] this year. We appreciate your generosity and thoughtfulness by sending us the gift cards, but though your intent surely springs from the spirit of the season, City policy prohibits us from accepting gifts of this nature. Please understand why we can't accept your gift. This being the case, and since we believe there are many in the City who have great needs at this time of year, we have donated the gift cards to the Hosea Williams Feed the Hungry Campaign in your names.