



City of Atlanta Board of Ethics Ethics Advisory on Gift Rules

The City of Atlanta's Code of Ethics seeks to promote the public's trust and protect the integrity of city government by severely restricting gifts that city officials or employees may receive from a contractor, vendor, client, customer, or other prohibited source. Soliciting and accepting gifts and favors can call into question an individual's integrity, impartiality, and independence.

The gift ban

The Code of Ethics prohibits city officials and employees from accepting anything of value from a prohibited source.

Who is a prohibited source

A prohibited source includes contractors, vendors, lobbyists, clients, and customers. It is a person, business, or entity that is doing business with or seeking to do business with the City; is seeking official action from or is regulated by the City; is representing a client who is seeking official action, doing business, or seeking business; is registered as a lobbyist as required by state law; or has interests that may be substantially affected by how an official or employee performs an official duty.

No personal gifts

Officials and employees may not accept gifts of cash, meals, tickets, entertainment, or travel. Employees must return the gift, pay its fair market value, or give it to a charity without taking a tax deduction. The best way to thank a city employee is to write a note, email, or letter of praise to his or her supervisor. The following gifts from a prohibited source are not allowed:

- Personal gifts, cash, gift cards, gift baskets, and other non-perishable items
- Private meals, receptions, and office lunches given to promote a product or for work performed
- Individual travel unless related to a speech, panel participation, or attendance at a conference
- Free or reduced price tickets to entertainment and sports events
- Anything of value intended to influence an official act
- Gifts solicited from a department contractor, vendor, or regulated business.

Gifts Allowed

There are 11 exceptions in the Code of Ethics to the ban on gratuities. The most important ones involve food, gifts to the City, and travel.

Reasonable meals at public events. Officials and employees may accept reasonable meals and refreshments furnished in connection with their appearance in an official capacity at a ceremony, reception, fundraiser, annual meeting, conference, convention, or similar event sponsored by a community, civic, charitable, non-profit, or business group. To qualify as a public event, at least 20 persons must attend and the gathering must include persons besides city officials, employees, and the hosts.

Gifts to the City. Gifts may be accepted on behalf of the City when a city agency receives and controls the gift, it is used for official city business, the agency has sole discretion to determine who uses the gift, and the gift is publicly disclosed.

Holiday gifts. The holiday gift rule allows officials and employees to accept a gift on behalf of the agency from a city contractor, vendor, or customer on special occasions when the gift is (1) perishable, (2) of modest value, and (3) placed in a common area to share with coworkers. Gift cards should be returned to the donor or given to a charity.

Travel. The City of Atlanta generally pays for travel in an official capacity by city officials and employees. The City may accept a gift of travel when it is related to official city business, and an individual may accept reimbursement of reasonable expenses from a prohibited source in connection with attendance at a conference or seminar, whether it is local or out-of-town. Disclosure is required.

- *Travel for conferences.* Individuals may accept reasonable hosting expenses from a prohibited source in four limited situations: speaking, teaching, participating on a panel, or attending a conference. Reasonable hosting expenses include registration fees and travel, meals, and lodging as allowed under the city's travel policies and procedures.
- *Donated travel.* A city department may accept a donation of travel for official city business, such as training, when the expenses are reasonable and cover only the customary and ordinary expenses allowed under the city's travel policy. The donor may not designate specific officials and employees as recipients.
- *Other travel in an official capacity.* Individuals may accept gifts of travel in an official capacity for other purposes when paid by entities that are not prohibited sources.

Official duty exception to the ticket ban. City officials and employees may not accept free or reduced-price tickets to concerts, plays, athletic, or other entertainment events, except under limited conditions. To accept, they must be performing an official duty at the event, such as presenting an award.

Other things of value that may be accepted.

- An award, plaque, memento, novelty, or similar item given in recognition of public service
- Trinkets or promotional items of little intrinsic value provided at widely attended events
- Light refreshments at meetings, such as soft drinks, coffee, and donuts
- Hospitality extended for social or business purposes unrelated to official city business
- Discounts and similar benefits available to the public or to all city employees
- Rewards or prizes given in contests open to the public
- Nominal gifts presented by representatives of other governments
- Salaries or compensation for services rendered under a contract unrelated to one's city position
- Campaign or political contributions allowed under state law
- Commercially reasonable loans on terms available to the public
- Gifts from spouses, children, parents, siblings, grandparents, great grandparents, grandchildren, great-grandchildren, uncles, aunts, nephews or nieces or received as an inheritance

Disclosure requirements

Travel Disclosure Report. City officials and employees must file the Travel Disclosure Report within 30 days of the event disclosing expenses paid by sources other than the City for travel and training received in an official capacity. This report is filed when registration fees to a local conference or seminar are reduced or waived.

Gift to the City Report. Agencies must file the Gift to the City Report at the end of the year disclosing gifts received on behalf of the City (1) from a prohibited source, (2) as a result of soliciting a donation, (3) as an honorarium, (4) for additional to the general fund or city's inventory of property, and (5) for donated travel to conduct official city business.

Disclaimer: This advisory is a summary of the key gift provisions in Atlanta's Code of Ethics and is not intended as advice in any particular situation. For specific advice about soliciting or accepting a gift, contact ethicsofficer@atlantaga.gov or call 404.330.6286.

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