



MARICOPA COUNTY INTERNAL POLICY

Policy Title: ACCEPTANCE OF GIFTS FROM EXTERNAL ENTITIES	Policy Number: A1515
	Current Adoption Date: 08-21-2019
Approved by: BOARD OF SUPERVISORS	Current Implementation Date: 08-21-2019
	Board Agenda Number: C-49-13-026-6-01
	Original Adoption Date: 11-14-2012

I. PURPOSE

To outline expectations for employees interacting in their official capacity with organizations or individuals in order to maintain impartiality, public trust, and compliance with the law.

II. AUTHORITY

This Policy is authorized by the Board of Supervisors pursuant to A.R.S. § 11-251.

III. APPLICATION

This Policy applies to all employees of Maricopa County appointed departments as well as the Flood Control District of Maricopa County, the Maricopa County Library District, and the Maricopa County Stadium District (Special Districts). The Board of Supervisors is authorized to jointly adopt policies applying to the Special Districts under the Intergovernmental Agreement, C-06-18-393-6-00, approved on April 11, 2018.

This Policy also applies to employees of County elected offices unless the elected official has implemented a similar policy specific to his or her office.

IV. DEFINITIONS

- A. Appointing Authority:** An elected official, the single administrative or executive head of a department or the designated representative authorized to act in this capacity.
- B. Chief Officer:** Deputy County Manager, Assistant County Manager, Director of Procurement Services, County Internal Auditor, Clerk of the Board, County Manager or the Chief Deputy of an elected office.
- C. Conflict of Interest:** Participating in a decision about a matter or exercising control over another person participating in a decision about a matter (e.g., any contract or arrangement of employment, leasing, sale or provision of goods and services) which may personally benefit or be seen to benefit that person because of actions or decisions made in an official capacity. Situations that may give rise to a Conflict of Interest include but are not limited to: nepotism, an external business relationship, or a close personal relationship.
- D. Donation:** The receipt of something of value voluntarily transferred by a person or entity to a County department or special district without compensation as outlined in *A2508 Receiving Donations Policy*.
- E. Employee:** A person paid a wage, salary, or stipend in accordance with official County payroll entries. For purposes of this Policy, this includes all classified, unclassified, temporary, and contract employees as well as volunteers.

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F. External Entity: Any corporation partnership, individual, sole proprietorship, joint stock company, joint venture, union, committee, organization, group of individuals or any other private legal entity (including any of its employees) that is directly affected by a service an Employee provides and/or would benefit by selling commodities or services, or influencing the County's behavior or decisions. It includes individuals or entities that 1) are regulated by the County, 2) do business or seeks to do business directly with the County, 3) attempt to lobby or influence any action by the County, 4) are involved in adverse litigation to the County, 5) have received or applied for funds from the County, or 6) have applied for employment with the County. This does not include organizations to which the County subscribes or is a member.

G. Gift: Anything of value from an external entity.

H. Volunteer: A person who, of their free will, provides services to the County without receiving a wage, salary, stipend, or other County benefit.

V. POLICY

Employees shall not accept things of value or benefit that would create a real or perceived Conflict of Interest.

A. Employees May Accept the Following:

1. Discounts and similar benefits sponsored through and/or contracted by the County such as those provided by the County's employee discount program.
2. Personal or private business loans from financial institutions doing business with the County where the loans are based on customary terms generally available to the public.
3. Unsolicited advertising or promotional material such as pens, pencils, calendars, and other items of nominal value from an External Entity or other organization.
4. Unsolicited perishables from an External Entity, individual or group that are made available to all Employees within the work unit and are placed in the Employee lounge or general office area.
5. Awards for meritorious public service or honorary degrees given without remuneration. The Employee shall obtain approval from the Appointing Authority prior to acceptance, when possible, of any awards or honorary degrees awarded by contracted entities.
6. Food, shuttle services, or other items underwritten by a sponsor of a conference or training event generally available to the public or other attendees and only if the Employee's attendance is seen to further the County's mission.
7. Subject to Section V.B.5., admission to an event, conference, activity or honorarium, speaking fees, travel expenses, or food which benefits the County subject to the following principle: employees shall not accept any valuable item or benefit that would cast reasonable doubt or suspicion upon themselves or the County.
 - a. Employee attendance at an event, honorarium, speaking fee, travel expense, or food that benefits the County must be approved prior to the event by the Employee's Chief Officer.

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- b. Justification for the benefit must be in writing, signed by the Chief Officer and a copy of the form shall be kept in the Employee's personnel file and on file in the department for audit purposes.
- c. Elected officials are encouraged to submit a disclosure of these events to the Clerk of the Board.
- 8. Anything given by a friend or family member of the Employee when it is clear that the motivation for giving is because of the friendship or family relationship and not the recipient's official County position. Factors to consider include whether the relationship existed before the recipient became an Employee and whether gifts have been previously exchanged.
- 9. Contributions or benefits permitted by law and the PhRMA Code of Interactions with healthcare professionals.

B. Unless Permitted by Policy, Employees Shall Not Accept any of the Following from External Entities Regardless of the Value:

- 1. Food
- 2. Gifts or gratuities
- 3. Tickets or complimentary admittance to an event (e.g., admission to conferences, trade shows, concerts, and sporting or promotional events)
- 4. Donation in any form until the requirements of A2508 *Receiving Donations* have been fulfilled
- 5. Honorariums, speaking fees, travel expenses, food, or other forms of remunerations for attending events that could be perceived as benefiting an External Entity and do not benefit the County

C. Other Conduct Regarding External Entities:

- 1. Employees shall not provide endorsements for or against External Entities. However, with department authorization, Employees may respond in reference to communications regarding an External Entity.
- 2. Employees shall not show favoritism for or against an External Entity regarding access to staff or information.
- 3. In accordance with the A.R.S.§ 38-501 through 505 and the Maricopa County Employee Merit System Rule 11 – Code of Ethics, Employees shall declare all Conflicts of Interest or potential Conflicts of Interest before participating in any activity that may call into question their ability to make an unbiased decision. Employees who are uncertain if a Conflict of Interest exists should make the declaration.
- 4. Employees shall treat External Entities with respect and in a way that reflects positively on the County.

VI. REPORTING REQUIREMENT

Employees are required to report conduct that may violate this Policy. Employees who have questions about interactions that may be covered by this Policy are expected to consult with their supervisor prior to taking any action. Reporting may be in any form accessible to an Employee and may include:

- A. Notification to an Employee's immediate supervisor who will report the concerns through the appropriate organizational management hierarchy.

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- B. Submitting a written account of specific concerns to the Employee’s Chief Officer for review.

Revision History

Version	Revision Date	Description of Revision
1	11-14-2012	Initial version. (C-49-13-026-6-00)
2	08-21-2019	Retitles policy and updated definitions, format, and language for consistency throughout policy. (C-49-13-026-6-01)