



## Gifts and Favors Policy

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**Revision: 1**

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### 1.0 POLICY

This policy governs the receipt of gifts and favors by County employees, officers, and agents.

### 2.0 DEFINITIONS

None.

### 3.0 PROCEDURE / RULE

**3.1** No employee shall knowingly solicit or accept a gift, whether in the form of money, things, favor, loan or promise, or gratuity from any person who or entity which to his/her knowledge is interested directly or indirectly, in any manner whatsoever, in a transaction with any county agency as to which he has the power to take or influence official action. This section is not intended to prevent the gift and or receipt of the following:

- A.** Honorariums in an amount not to exceed twenty-five dollars (\$25) or expenses to include meals, travel and lodging for participating in meetings, seminars, conferences, grand openings, or anniversary celebrations of businesses, or other similar activities where the official or employee is either a speaker, participant or invited in his or her official capacity.
- B.** Nominal advertising items or souvenirs of twenty-five dollars (\$25.00) or less in value, or meals furnished at banquets.
- C.** Customary gifts or favors received by any employee from friends, relatives, or other employees where it is clear that it is the relationship of the donor which is the motivating factor for the gift or favor.
- D.** Gifts, favors discounts, and gratuities offered by commercial enterprises to members of the general public.
- E.** Political contributions by elected county officials.

### **3.2 Gifts and favors regulated**

- A.** It shall be unlawful for any contractor, subcontractor, or supplier who: has a contract with a governmental agency; or has performed under such a contract within the past year; or anticipates bidding on such a contract in the future to make gifts or to give favors to any officer or employee of a governmental agency who is charged with the duty of: preparing plans, specifications, or estimates for public contract; or awarding or administering public contracts; or inspecting or supervising construction.
- B.** It shall also be unlawful for any officer or employee of a governmental agency who is charged with the duty of: preparing plans, specifications, or estimates for public contracts; or awarding or administering public contracts; or inspecting or supervising construction willfully to receive or accept any such gift or favor.
- C.** A violation of sections (A) or (B) shall be a Class 1 misdemeanor.
- D.** Gifts or favors made unlawful by this section shall not be allowed as a deduction for North Carolina tax purposes by any contractor, subcontractor or supplier or officers or employees thereof.

### **4.0 APPENDIX / APPENDICES**

None.