



## Gratuities

### Policy Statement

An employee of the University System shall not accept gratuities, courtesies, or gifts in any form whatsoever from any person or persons, corporations, or associations that, directly or indirectly, may seek to use the connection thus formed for securing favorable comment or consideration on any commercial commodity, process, or undertaking.

### Prohibited Receipt of Gifts by University System of Georgia Employees

An employee of the Board of Regents shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the thing will influence his/her performance or failure to perform any official action. The acceptance of a benefit, reward or consideration where the purpose of the gift is to influence an employee in the performance of his/her official functions is a felony under O.C.G.A. 16-10-2.

An employee of the University System of Georgia or any other person on his/her behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from any vendor or lobbyist as those terms are defined in Georgia statutes (O.C.G.A. 21-5-70(6) and 45-1-6(a)(5)b). If a gift has been accepted, it must be either returned to the donor or transferred to a charitable organization. A gift may be accepted by the employee on behalf of the institution subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

### Appearance of Conflicts of Interest

An employee shall make every reasonable effort to avoid even the appearance of a conflict of interest. An appearance of conflict exists when a reasonable person will conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, are compromised by personal interest. An appearance of conflict can exist even in the absence of a legal conflict of interest. Employees are referred to State Conflict of Interest Statutes O.C.G.A. §45-10-2 through §45-10-70 and Board of Regents Policies and institutional policies governing professional and outside activities and gratuities.

### Other Rules of Conduct

- I. Every employee shall make a due and diligent effort to determine whether he/she has a conflict of interest or appearance of conflict before taking any action.
- II. Every employee shall continually monitor, evaluate, and manage his/her personal financial and professional affairs to ensure the absence of conflicts of interest and appearance of conflicts.

### Violations

A violation of this policy may subject an employee to disciplinary action, including termination of employment.

### Policy definitions

For purposes of this policy a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value. A gift shall not include:

- I. Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances but in no event exceeds \$100 per person;
- II. Food, beverages, and registration at group events to which substantial numbers of employees of an institution are invited;

- III. Food, beverage, or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions or activities;
- IV. Actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee;
- V. Promotional items generally distributed to the general public;
- VI. Textbooks, software, and instructional materials to be reviewed by teaching faculty;
- VII. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement;
- VIII. Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade, or profession;
- IX. Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution;
- X. Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with University System, campus policies, and Georgia law;
- XI. Gifts to or from University System foundations or other separately incorporated, charitable entities.

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#### Responsibilities

Responsible University Senior Administrator: President

Responsible University Administrator: Director of Internal Audit

Policy Owner: Matthew Whitley

Policy Contact: [mwhitley@uga.edu](mailto:mwhitley@uga.edu)

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#### Policy Dates

Date Last Updated: 11/22/19

Previous Version of Policy: 06/26/2013