

Walker, Ardyth (COE)

INQ 03-139

From: Walker, Ardyth (COE)
Sent: Wednesday, December 31, 2003 12:10 PM
To: McCarty, Jess (CA)
Subject: RE: Seaport Question

No. The employees do not have to report the flight as a gift if the Seaport reimburses the company for the commercial flight equivalent of the trip.

-----Original Message-----

From: McCarty, Jess (CA)
Sent: Monday, December 22, 2003 5:29 PM
To: Walker, Ardyth (COE)
Subject: RE: Seaport Question

Ardyth,

Thank you for your help on this question. I got your message on Friday, but I'm sorry that I hadn't had a chance yet to write you something, although it was on my list. My understanding is that they are going to view a intermodal facility/operation in Cleveland similar to what they would want to do at the Port of Miami. I think the company's headquarters is elsewhere. Do the employees still have to report the flight as a gift even if the Seaport Dept. reimburses the company?

Thanks again and happy holidays!
Jess

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-----Original Message-----

From: Walker, Ardyth (COE)
Sent: Monday, December 22, 2003 4:10 PM
To: McCarty, Jess (CA)
Subject: Seaport Question

Per our conversation on Friday, a group of Seaport employees has been approached by a potential vendor who would like to fly them to the company's headquarters in Cleveland. The vendor would transport the employees, by private plane, from Miami to Cleveland. One employee will be flown from Bangor, Maine to Cleveland. The Seaport may reimburse the vendor for the commercial flight equivalent of the trip.

As I stated on Friday, the Conflict of Interest and Code of Ethics ordinance permits the employees to accept the trip from the vendor. Although legal, the trip does raise the appearance of a conflict of interest and the best course is for the department to fly the employees to Cleveland. However, if the department decides to accept the vendor's offer, the employees must report the trip (including any incidentals and accommodations) on a quarterly gift disclosure form.

Please contact me if you have any further questions.