

ETHICS

IND 03-22

To: Topinka, John (MDHA)
Subject: RE: gifts

John,

I actually spoke to the County Manager about this matter and he indicated that he has not issued an official countywide policy that bars county employees from accepting gifts, regardless of value. Some departments, however, have instituted such a ban. The position of the county attorney's office is a recommended course of action. The ordinance states that gifts received that are worth \$25 or more must be reported. If the gifts are less than \$25 and there is no departmental ban in effect, then these gifts would not have to be reported. There are two exceptions: 1) where the county employee receives a gift and engages in an official because of that gift (quid pro quo) then it doesn't matter what the gift is worth and 2) where the county employee receives gifts that total \$25 or more from one donor during the same quarter (e.g., the same vendor takes you out to three \$10 lunches during the quarter). In this example, no one gift equals or exceeds the threshold, but the cumulative value does, therefore, the gifts would have to be reported.

Hope this helps.

Robert

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

From: Topinka, John (MDHA)
Sent: Friday, March 14, 2003 12:43 PM
To: ETHICS
Subject: gifts

At the ethics training course, we were told that gifts up to \$25 did not have to be reported. Or course, it was recommended that staff not take any gifts.

Last week, several county attorneys meeting with departmental personnel officers told them that staff could not receive any gifts regardless of value, including a food basket, for example, that one might share with the elderly or others in public housing.

This has caused some confusion among those who have heard both pronouncements.

So which is it: up to \$25 or none?

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