

AD15

Employee Acceptance of Gifts

Classification:	Administration
Responsible Authority:	Director, Finance and Administrative Services
Executive Sponsor:	Vice President, Finance & Administration
Approval Authority:	Algonquin College Executive Team
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PURPOSE

Employees in certain positions have the ability to influence contractual decisions. Persons in these positions have a particular responsibility to avoid situations that will constitute a conflict of interest, or the appearance of a conflict of interest.

This policy is designed to help employees of the College recognize possible and/or perceived conflicts of interest that may arise with respect to the acceptance of gifts, hospitality or gratuities from suppliers, contractors, or other business partners so that they can, in good faith, disclose, manage and resolve such situations.

SCOPE

This policy is intended to establish a minimum set of standards for all College employees, Board of Governors members, appointees, volunteers, and all consultants and contractors engaged by the College.

Certain departments such as Purchasing may apply a higher standard in order to keep their employees free of any obligations and thereby avoid potential conflict of interest or commitment.

DEFINITIONS

Word/Term	Definition
Conflict of Interest	Any situation where personal interests of employees may be incompatible or in conflict with their responsibilities as College employees, and includes actual, potential or perceived conflicts of interest.
Potential Conflict of Interest	The potential for conflict exists as soon as the College member can foresee that he/she has a private interest that may be sufficient to influence a public duty or responsibility.

POLICY

The acceptance of significant material gifts by an employee of the College from anyone doing business with, or soliciting business from the College is not permitted. The only exception to this are minor gifts or token courtesies that do not place, or do not have the appearance of placing, the recipient under any obligation when making decisions on the College's behalf. In no event should an employee accept a gift or hospitality on the understanding that his/her position will be used to influence a decision.

General Guidelines

When an employee is offered a significant material gift or hospitality in which the employee is unsure if an obligation or an appearance of obligation is created, he/she shall discuss the offer with his/her manager or department head. The manager or department head will then decide whether the acceptance of the gift or hospitality places, or appears to place, the employee under any obligation. In making the determination, a variety of factors shall be considered, including but not limited to:

1. Whether the gift or hospitality is provided before or after the employee makes a decision concerning the party who is offering the gift.
2. The frequency of the offers to or acceptance of token gifts or hospitality by the employee concerned.
3. Whether the offering or receipt of a gift or hospitality is a matter of cultural or diplomatic protocol.
4. Cash, in any amount, must not be accepted as a gift under any circumstances.

Acceptable Gifts and Hospitality

The following guidelines describe the circumstances in which gifts or hospitality will normally be deemed to be acceptable.

1. An employee may accept gifts of small intrinsic value.
2. An employee may keep a gift/prize if it is offered to attendees at a conference, seminar or trade show.
3. An employee may accept plaques or similar recognition awards.
4. An employee may accept gifts of social entertainment when the host or the beneficiary of the event is Algonquin College (e.g. Algonquin College President's Invitational Birdies for Bursaries Golf Tournament).
5. An employee may, with the approval of his/her manager, accept a gift of social entertainment (e.g. tickets to attend a cultural or sports event) from a vendor or business partner when it does not obligate the employee. The acceptance of such gifts should normally be restricted to a maximum of one event per vendor per year.
6. An employee may, with the approval of his/her manager, accept an invitation from a supplier or potential supplier to attend an educational seminar where the event presents educational value to the employee. The frequency of such acceptances should be considered to avoid appearances of conflict of interest or commitment.

7. Attendance with suppliers' representatives at luncheons, dinners or business organization meetings which have been discussed with the employee's manager or department head and provided that the employee uses caution with respect to the frequency of these associations.

Declining Gifts or Hospitality

1. If an employee is offered or receives a gift which falls outside these guidelines, it should be declined or returned in a tactful manner.
2. When the gift cannot be returned, the gift should be handed over to the employee's manager to be either held by the College, or given to charity or such other action as determined by the manager.
3. If the nature or value of the gift or hospitality is such to raise concern as to the good faith of the party offering it, the employee shall advise his/her manager or department head.
4. Under no circumstances should a gift or hospitality be accepted from a vendor either directly before or during a tender process for related goods or services.

Repercussions of Non-Compliance

Failure to comply with this policy will result in disciplinary action, up to and including termination.

SUPPORTING DOCUMENTATION

None

RELATED POLICIES

HR 12 Conflict of Interest

RELATED MATERIALS

Algonquin College Purchasing Policies and Procedures Manual

<https://www.algonquincollege.com/purchasing/files/2014/09/Purchasing-Policy-and-Procedure-Manual.pdf>

Broader Public Sector Procurement Directive

http://www.fin.gov.on.ca/en/bpssupplychain/documents/bps_procurement_directive.html#sec7-2-24