



General Counsel & Vice Chancellor for Legal Affairs
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To: All CUNY Employees
From: Loretta P. Martinez
Re: Holiday Reminder – Acceptance of Gifts
Date: December 2017

Please be reminded that CUNY’s Conflicts of Interest Policy and the New York State Public Officers Law prohibit the acceptance of gifts of more than nominal value from interested sources. Accordingly, as a CUNY employee you may not solicit or accept such gifts, either directly or indirectly, from any interested source, regardless of whether the gift was intended to influence or reward you.

For purposes of this memorandum, interested sources include vendors, students, parents, and publishers. Interested sources are persons and business entities with which CUNY or its constituent Colleges are doing business, and also those persons and business entities interested in doing business with CUNY, or its constituent Colleges. Interested sources even include those persons and business entities that have a history of doing business with CUNY or any of its constituent Colleges in the recent past. The New York State Joint Commission on Public Ethics (JCOPE) excludes from the definition of “gift” any food or beverage worth \$15 or less, and any promotional items with no resale value such as calendars or pens. This exclusion has no restriction on place, purpose or source. Any perishable gifts worth more than \$15, such as fruit baskets or other food, must be either returned to the sender, donated to charity, or placed in a common area of the office. Holiday parties hosted by interested sources may not be attended without prior approval from your ethics officer.

For more information, please see JCOPE’s *“Tis the Season to Remember the Ethics Rules for Gifts,”* available at: [www.jcope.ny.gov/pubs/eblast/JCOPE%20Ethics%20Reminder Tis%20the%20Season Gifts.pdf](http://www.jcope.ny.gov/pubs/eblast/JCOPE%20Ethics%20Reminder%20Tis%20the%20Season%20Gifts.pdf)

Additionally, CUNY’s Conflicts of Interest Policy and the New York State Public Officers Law also prohibit gifts from CUNY subordinates to CUNY supervisors (this term includes managers, directors, deans, and all executive staff titles). Such gifts from

subordinates may give an appearance of impropriety or give the impression that someone may improperly influence a decision-maker. There is no prohibition on supervisors giving modest gifts to their subordinates as tokens of their appreciation.

The CUNY policy and state law regarding gifts apply to all CUNY employees, including faculty. For more information please see our website:

www.cuny.edu/about/administration/offices/la/ethics.html

If you have any questions regarding CUNY's and JCOPE's interpretation of the law, I encourage you to ask before you act. Please contact your Campus Ethics Officer:

www.cuny.edu/about/administration/offices/la/ethics/ethics-officers.html.

If you receive a gift, please send it back to the person/entity along with the sample letter

(www.cuny.edu/about/administration/offices/la/ethics/nogifts.html).

For additional information regarding gifts, please see JCOPE's "***Guide to the New Gift Regulations for State Officers and Employees***" at:

www.jcope.ny.gov/training/Guide%20to%20the%20New%20Gift%20Regulations%20for%20State%20Officers%20and%20Employees.pdf