

CITY OF COLLEGE PARK, MARYLAND

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Office of Ethics Commission

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March 23, 2010

Ms. Jill Clements
Human Resources Manager
City of College Park
4500 Knox Road
College Park, MD 20740

Dear Ms. Clements:

I am writing on behalf of the College Park Ethics Commission in further response to your letter of January 21, 2010. I apologize for the delay in my response. The Commission has met and discussed your inquiry, and I am now able to provide a more complete response.

Regarding the matter of the events where City employees meet with vendors regarding benefits offered by the City, the Commission is of the opinion that, in the future, the value of each item offered as a door prize should not exceed the \$25.00 limit applicable to gifts received by City employees from persons doing business with the City. Moreover, the City should not solicit the donation of such gifts. The Commission understands that the opportunity for such gifts to influence employees in the performance of their official duties is limited because the employees responsible for selecting the vendors are not eligible to receive the gifts. However, the Commission is concerned that the practice could send the message to vendors that such donations are a necessary part of doing business with the City, which may lead to inefficiencies in the procurement process.

Regarding the matter of the employee picnic and the employee holiday party, the Commission believes that the Ethics Chapter prohibits the solicitation of any gifts, regardless of value, from College Park businesses (as such businesses are regulated by the City) or businesses that contract with the City. Regarding the acceptance of unsolicited donations from businesses located in or contracting with the City, and the solicitation and acceptance of gifts from other businesses, the Commission does not believe it is appropriate to provide a blanket endorsement of such practices or to speculate on hypothetical situations without sufficient detail.

Although we do not question the motives behind seeking to obtain perquisites for City employees without the expenditure of City funds, the Commission is concerned about the ethical implications, actual and apparent, of the practice of seeking and accepting donations of gifts to be passed on to City employees. Accordingly, the Commission recommends that you consider asking the Council to budget money to pay for prizes at employee events if you believe that such prizes promote the efficiency of the City's workforce.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,


Forrest Tyler
Chair, Ethics Commission

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