

# GIFTS, GRATUITIES, ESTATES AND HONORARIA

## GIFTS TO UHD

Faculty and Staff may receive gifts or endowments but are not authorized to process them on behalf of the University. The office of Advancement Services in University of Houston-Downtown Advancement at (713) 221- 8402 handles this process.

### Reference:

UH – Downtown Policy Statement  
09.A.01 - [Gift Acceptance and Processing](#)

**Question:** A close friend of my family was impressed with a program my department is developing for UHD students and gave me a check for \$5,000 to donate to the University. What should I do with it?

**Answer:** Bring the check and any original supporting documentation to the office of University Advancement within one business day of receipt. University Advancement will ensure all of the appropriate paperwork and reports are completed and all appropriate persons are notified, including the Board of Regents when required.

## GIFTS MADE TO INFLUENCE DECISIONS

An employee must not solicit, accept or agree to accept any gift, favor, privilege, benefit, service, exemption or thing of value that might influence the performance of his or her job. Anyone having business with UHD as a client, contractor, or vendor is likely to be seen as attempting to curry favor by providing any gift or benefit to the employee.

If there is no decision to be influenced, the [Ethical Conduct of Employees](#) memorandum does allow:

- Non cash items worth less than \$50 in value, and

Items such as food, lodging and transportation used solely to defray expenses accrued in the performance of official duties that are not reimbursed by the university. If in doubt, do not accept a gift or benefit offered to you offered to you in your capacity as UHD employee regardless of the amount. If you have any questions whether you should accept a gift please contact the Compliance Officer at 713-222-5340.

### Reference:

UH System Administrative Memorandum  
02.A.29 – [Ethical Conduct of Employees](#) and

UH – Downtown Policy Statement

Administrative 01.A.12 - [Standards of Conduct Policy](#)

Texas Government Code

[Standards of Conduct for State Employees, Section 572.051](#)

[Texas Penal Code Section 36.08 - Gift to Public Servant](#)

**Question:** I received a gift basket from one of our vendors for Christmas. May I keep it?

**Answer:** Whether you can keep a gift depends on several factors. Generally, you may keep a non-cash gift if the value is less than \$50.00 dollars. However, an employee may not accept a gift regardless of the amount if you have reason to believe that the gift is being offered to influence your decision as a UH D employee.

**Question:** A representative from a publishing company has invited me along with some other faculty members to lunch and would like to have us select their text books for use in our classes next semester. The lunch is under \$50 per person. Is it okay to go?

**Answer:** No. Luncheons and dinners provided by representatives of textbook publishing vendors to faculty members who make decisions regarding textbooks used by UHD students create the appearance to an independent observer of attempting to influence the decision. In accordance with UH SAM "Ethical Conduct of Employees" and "Conflict of Interest" policies, these luncheons and dinners should not be accepted.

## GIFTS FROM PERSONS DOING BUSINESS WITH UHD AND/OR UH SYSTEM

An employee must not solicit, accept, or agree to accept any benefit from a person the employee knows may have a business relationship with UHD, except as permitted under [Texas Penal Code – Section 36.10](#) If in doubt, do not accept a gift or benefit offered to you in your capacity as UHD employee regardless of the amount.

### Reference:

Texas Government Code

[Texas Penal Code Section 36.08 - Gift to Public Servant](#)

**Question:** As a department head, I have been working with a UHD vendor for several years. This vendor recently offered to do some landscaping work for me at a substantial discount. Can I let him re-landscape my yard?

**Answer:** No. A substantial discount would mean that the vendor is giving you special service with the possible expectation that you could provide continued or additional UHD business for this vendor.

## HONORARIA

By state law, a component university employee may not solicit, agree to accept, or accept an honorarium in consideration for services the employee would not have been asked to provide but for his or her official position; i.e. for providing services on behalf of the university.

- This includes a payment made to a third party if made in exchange of the employee's services.
- This excludes food, transportation and lodging associated with the service provided.

### Reference:

UH System Administrative Memorandum

02.A.29 Paragraph 4.6 – [Ethical Conduct of Employees](#)

UH – Downtown Policy Statement

Administrative 01.A.12 - [Standards of Conduct Policy](#)

**Question:** I have been invited to Dallas to speak at a professional luncheon regarding the state of current research in my discipline? Can I accept payment for this?

**Answer:** No. You cannot accept the honorarium if you were asked to speak based upon your position at the University. The organization that invited you to speak may pay for your meals, transportation, lodging and a small token, such as a plaque, at the end of the luncheon.

**Question:** I have been asked to give a presentation at a Wednesday morning workshop to be held at UHD and sponsored by an external grant. An honorarium of \$200 is being offered. Can I accept it?

**Answer:** You cannot accept the honorarium if you were asked to speak based upon your position at the University. If you were asked to speak in your non university capacity, you may accept the engagement and the honorarium provided you comply with the University outside employment policy. In addition, you will need to take leave if the presentation occurs during normal UHD working hours.

**Question:** I have received an invitation from a local community college to speak at a symposium being held the last Saturday of next month. I am not scheduled to teach any classes that day. May I accept the \$300 honorarium being offered?

**Answer:** You cannot accept the honorarium if you were asked to speak based upon your position at the University even if it does not interfere with your teaching schedule. If you were asked to speak in your non university capacity, you may accept the engagement and the honorarium provided you comply with the University outside employment policy.

**Question:** I've been invited to attend a Friday workshop sponsored by a grant that offers \$100 to each attendee. May I accept this payment?

**Answer:** You cannot accept the \$100 if you were asked to attend the workshop based upon your position at the University. If you were asked to attend the workshop in your non university capacity, you may accept the engagement and the \$100 provided you comply with the University outside employment policy. In addition, you will need to take leave if the workshop occurs during normal UHD working hours.

**Question:** I have been invited to work on a project at another UHS components based on my teaching and research discipline. May I accept the \$2,500.00 being offered as payment?

**Answer:** You cannot accept the invitation if you were asked to participate based upon your position at the University. In this case you were asked to work on the project in your non university capacity. You can accept the project provided you comply with the University outside employment policy. You will need to take leave if you work on the project during normal UHD working hours. In addition, the payment must be made through the UHS payroll system.