

GIFTS AND GRATUITIES

Objective:

To determine if employees in the department/unit are aware of institutional policies and procedures governing the acceptance of gifts/gratuities, as well as to determine if periodic communication is provided to employees regarding gifts.

Potential Impact:

Results in violations of UHD and/or UH SAM policies, as well as state and local laws, as well as negative publicity for the institution if gifts/gratuities are inappropriately accepted.

Helpful Tools:

- UH System Administrative Memorandum:
[02-A-29 - Ethical Conduct of Employees](#)
- UH – Downtown Policy Statement:
[Administrative 01.A.12 - Standards of Conduct Policy](#)
- Texas Government Code:
[Standards of Conduct for State Agency Ethics Policy, Section 572.051](#)
[Texas Penal code Section 36.08 – Gift to Public Servant](#)
[Texas Penal Code – Section 36.10 – Non-Applicable](#)

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Frequently Observed Weaknesses/Deficiencies:

- Failure to periodically communicate information on gifts/gratuities to employees.
- Lack of employee knowledge regarding the limitations on gift types and dollar value.
- Employees unaware of who may accept gifts/gratuities, from whom, and under what circumstances.
- Manipulating purchase activity/practices to obtain offered vendor gifts/gratuities.

Best Business Practices:

- Management should periodically communicate information regarding gifts/gratuities to all employees.
- Ensure employees are aware of the limitations on gift/gratuity types and amount.
- Avoid any type of prohibited gift/gratuity. (Note: Receipt of any prohibited gratuity is presumed to have influenced the employee. It is not necessary to actually demonstrate any favoritism or advantage resulting from the gift.)
- NEVER allow free gifts/gratuities to influence the purchasing activity of the department.
- Gifts with a value greater than \$50 to individuals violate UHD/UHS/State of Texas policy.

AREA

This questionnaire is designed so that “no” answers indicate that an internal control weakness may exist and the procedure/process may need to be examined in greater detail. **Comments should be provided for “No” answers.** When such weaknesses are identified, a change in the process may be necessary OR a control may need to be put into place to address the weakness. The appropriate UHD contact office (as outlined in the self-assessment text) may be contacted for assistance with identified weaknesses.

Self-Assessment of Internal Controls for Gifts and Gratuities	Yes	No	N/A	Comments
Are employees familiar with institutional policies and procedures regarding gifts/gratuities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does management periodically communicate information on gift policy to all employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are employees aware of the limitations on gift types and amount?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

This is a living document and will be updated as revisions are necessary. Periodically, you may want to check for updates and revisions. We welcome any questions and feedback regarding the information contained in this tool including any comments regarding how this may be more useful and effective.