

Corporate Human Resources Policy	 Hamilton	Code of Conduct for Employees
Work Environment		Content Updated: 2014-08-18
Policy No: HR-01-09		
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Schedule B: Fees, Gifts, and Hospitality

PURPOSE	There may be occasions where City of Hamilton Employees are presented with gifts, hospitality, or are paid a fee by an outside agency for services related to their position. This schedule clarifies the expectations that the City has of employees when faced with these situations
DEFINITIONS	
Fees	An amount of money that is paid for work conducted
Gifts	Any business related gift, gift certificate, gift card, discount, favour, or assistance given to an employee(s) from an outside organization or individual.
Hospitality	Any business related hospitality event (e.g. a dinner, golf game, theatre tickets, sporting tickets, etc) given to an employee(s) from an outside organization or individual.
TERMS AND CONDITIONS	
Gifts and Hospitality	<p>An employee may not solicit or accept any gift, benefit, money, discount, favours, gift certificate, gift card or other assistance from any person or business which has or desires to have a contract with the City to supply goods or services, unless the gift, benefit, money, discount, favours, gift certificate, gift card or assistance is available to all members of the public or is available on a discounted basis to all City employees e.g. discounted cell phone package or automobile insurance.</p> <p>No employees shall accept any gifts, hospitality, and invitations to special events which exceed \$100 in value. An employee may accept a nominal gift or hospitality with a value of \$25, or under (for example, lunch, dinner, coffee, a business portfolio, a plant) provided that:</p> <ul style="list-style-type: none"> • it is in the context of a business meeting or interaction, or in the context of a recognized charitable event; and • it is an infrequent occurrence; and

Exceptions Specific to Gifts and Hospitality	<ul style="list-style-type: none"> • it legitimately serves a business purpose; and • it is appropriate to the business responsibilities of the individual employee; and • the gift or hospitality is not an attempt to seek special favours or advantages from the employee or the City. <p>Receipt of gifts, hospitality, and invitations to special events with a value ranging from \$25 to \$100 inclusive shall be documented and disclosed to the General Manager. General Managers shall likewise document and disclose to the City Manager receipt of gifts, hospitality and invitations to special events with a value ranging from \$25 to \$100 inclusive.</p> <p>Some management and professional staff are required, as a part of their business responsibilities for the City, to participate in hospitality events that may be more frequent or that may involve a higher monetary value than the guideline above. Such participation is not a breach of this Policy, so long as the hospitality event serves a legitimate business purpose.</p> <p>Gifts received by an employee on behalf of the City where the gift is intended by the giver to become the property of the City and/or the gift commemorates or records a significant event, place, or individual (such as, without being limited to, a commemorative plaque) are excluded from this Schedule.</p> <p>In limited circumstances it may be acceptable for an employee to accept a gift or hospitality that is valued at over \$100. These exclusions must be approved by the General Manager who will complete a form that authorizes the employee to keep the gift or attend the event.</p>
Public Engagements	<p>No employee shall charge or knowingly accept a fee for taking part in a public speaking engagement such as a public radio/television broadcast, web site broadcast or conference to which he or she was invited as a direct result of his or her position as an employee.</p> <p>Any fee that is received for a speaking engagement during normal working hours, or at any time where the employee is</p>

Publications	<p>representing the City, shall be turned over to the City, unless the value of the fee does not exceed expenses (incurred for such speaking engagement) which are not reimbursed by the City.</p> <p>Accepting a nominal gift for a speaking engagement such as a pen or other souvenir, with a value of \$25, or under, is not a violation of this Policy. Accepting free admission from the seminar or conference organizers for the balance of the seminar or conference is not a violation of this Policy.</p> <p>Employees may charge or accept a fee for speaking engagements during time off work (e.g. vacation time) providing such employees are not representing or purporting to represent the City.</p> <p>No employee shall charge or knowingly accept a fee for writing or publishing articles or books in any print or online publications, including journals and newsletters, if such article or book directly relates to the employee's position as a City employee or uses insider information about the City.</p> <p>Any fee that is received for articles or books written during normal working hours, or at any time where the employee is representing the City, shall be turned over to the City, unless the value of the fee does not exceed expenses (incurred for writing the publication) which are not reimbursed by the City.</p> <p>Accepting a nominal gift for an article or book, such as a pen or other souvenir with a value of \$25 or under, is not a violation of this Policy.</p> <p>Employees may charge or accept a fee for writing and publishing articles and books during time off work (e.g. vacation time) providing such employees are not representing or purporting to represent the City and providing that the article or book does not contain insider information.</p>
Witness Fees	<p>No employee shall charge or knowingly accept a witness fee for taking part in a court, tribunal, or other adjudicative process to which he or she was requested to attend as a</p>

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	<p>direct result of his or her position as an employee.</p> <p>Any witness fee that is received shall be turned over to the City, unless the value of the fee does not exceed expenses (incurred for such attendance as a witness) which are not reimbursed by the City.</p>
Exceptions Related to Fees	Requests for exceptions related to Fees for public engagements, publications and witness fees will be dealt with on a case-by-case and must be approved by a General Manager in consultation with Human Resources.
Related Documents	Gifts and Hospitality Disclosure Form
COMPLIANCE	Every employee is expected to be aware of and act in compliance with the Code of Conduct for Employees Policy and the related Schedules. Any employee under investigation may be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the City. Where there is a serious wrongdoing, as defined in the Whistleblower By-law, that By-law applies. Violations of this Schedule may result in appropriate disciplinary measures, up to and including dismissal.