

ETHICS AT A GLANCE

Gift Giving - Can I exchange holiday gifts in the office?



Follow these rules regarding receiving gifts



Overview

Public Officers Law § 73(5) prohibits state officers and employees from soliciting, accepting, or receiving a gift valued at more than \$15 if it can be **inferred by someone that the gift was intended to influence** the recipient. Whether the motivating factor for offering the gift is an intent or expectation of influence over the recipient's job performance is what needs to be analyzed.

Gifts among employees during the holidays will generally be permissible.

- Participation in gift exchanges **should be optional**, with that option clearly communicated.
- Gifts between supervisors and employees should be scrutinized carefully.
- As these issues can be challenging to resolve on your own, don't forget that your agency's Ethics Officer and COELIG's Attorney of the Day are available to guide you through these thorny issues as they arise.

[More information on gift giving rules is available on COELIG's website.](#)

Questions?

Contact us by calling 1-800-87-ETHICS (3-8442) or by e-mail at GUIDANCE@ETHICS.NY.GOV.

All guidance communications with COELIG are confidential.

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