

**Section 1:    PURPOSE**

To outline employee responsibility regarding the acceptance of any gift, gratuity or service of any kind which may be directly or indirectly submitted or offered as a result of, or anticipation of, said employee's position or performance of duties with the City of Manteca ("City").

**Section 2:    DEFINITIONS**

1. Gifts are herein defined as any specific items, materials or special rewards
2. Gratuities are herein defined as any form of money or any other item of value not defined as gifts. Incidental social activities, luncheons, or like activities are not considered gratuities and are exempt from this policy.
3. Services are herein defined as those considerations performed for the employee at little or no cost as a result of the employee's position or job performance.

**Section 3:    POLICY**

1. No employee or appointee of the City shall accept, receive, or receive any benefit from, any gift, gratuity, present, or any property of service of any kind, nature or value as pertains to the intent of this policy.
2. This policy is applicable to, but not necessarily limited to, the following situations:
  - A. When received from any person or company with whom said employee has contact in the performance of his or her duties as an employee of the City.
  - B. When received from any person or company who has, or who is expected to have, business or professional contact with the City.
  - C. When received from any person or company who is, or is expected to be, an applicant for, or recipient of any benefit, decision, award or action of any kind or nature from or by the City.
  - D. When received under any circumstances which could raise any suspicion in the mind of a reasonable person that such receipt might influence said person in any degree.
3. Each City employee must conduct himself or herself so as to avoid the possibility of criticism for accepting gifts from anyone as a reward or "tip" for services performed as a City employee.

4. It is emphasized that severe disciplinary action will be taken if any City employee accepts any gifts from contractors, suppliers, or other parties, or from anyone who may have a direct or indirect interest in City services, purchases, or considerations.
5. Incidental items which are not given for services of a specific employee, and which are generally distributed for advertising or promotional purposes, do not fall within the scope of this policy.
6. Gifts or gratuities, including discounts, offered by businesses and corporations to members of the general public do not fall within the scope of this policy.

**Section 4: EXCEPTION TO THE POLICY**

Any gifts or gratuities from the public or organizations may be accepted for departmental or City use, providing that:

1. The gift or gratuity is first received or acknowledged by the City Manager who, in turn, will receive City Council approval before final acceptance.
2. The City Manager and/or the City Council will determine the specific use of the gift or gratuity, if not specified by the donor.
3. No employee or employee organization has solicited the gift or gratuity.