

[Metro.net](#) (web)

Resources

[Safety](#)
[Pressroom](#) (web)

[CEO Hotline](#)
[Metro Projects](#)
[Facts at a Glance](#)
(web)

[Archives](#)
[Events Calendar](#)
[Research Center/
Library](#)
[Metro Cafe](#) (pdf)

[Metro Classifieds](#)
[Retirement
Round-up](#)

Metro Info

[Strategic Plan](#) (pdf)

[Org Chart](#) (pdf)

[Policies](#)
[Training](#)
[Help Desk](#)
[Intranet Policy](#)

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"No MTA employees shall accept gifts exceeding fifty dollars (\$50) in value in a calendar year or exceeding ten dollars (\$10) in value in a calendar month from a single source that is an MTA contractor, subcontractor, lobbyist, lobbying firm, lobbyist employee or anyone else doing business with the MTA. No MTA employees shall accept any gift from a bidder or proposer on an MTA contract."

Sect. 5-15-130 Gifts, Title 15, Employee Code of Conduct



PHOTO: BILL HEARD

Senior Analyst Hedi Woods of Risk Management, right, turns over a vendor's gift basket to Senior Ethics Officer Bill Lowe for donation to charity.

Code Requires Most Vendor Gifts to be Turned In to Ethics Dept.

(Dec. 15, 2004) Metro employees turn in about 50 contractor or vendor gifts to the Ethics Department for donation to charities during the holiday season each year.

The gifts, which range in value from \$10 to about \$150, are bundled up and distributed to various organizations each week, says Senior Ethics Officer Bill Lowe.

The Employee Code of Conduct, which can be accessed via the Policies link on the myMetro.net homepage, includes a description of the gift rules in Section 5-15-130.

The purpose of the rule on gifts, according to the Code, is "to assure the public that public employees are not influenced to show favoritism to a contractor based on receiving gifts or for being rewarded for doing his or her job in a way that will benefit the giver of the gift."

Share the gift?

But why, Lowe was asked, can't an employee who receives an expensive gift share it with his co-workers and, in that way, reduce the perceived influence and cost of the gift per person?

"Under the law the effect is the same," he says. "The gift is seen as a

way to influence the agency. Even if the employee shares the gift, it is just influencing more people in the agency.

Under the law an improper gift must be returned or donated to a charity. The Ethics Department accepts the gifts from employees, donates them to charity, and gives the employees receipts for their records.

"We do this as a service to our employees to make it easier for them to comply with the law, to do something nice for a person in need, and help maintain Metro's credibility with the public," Lowe says.

How about homemade cookies?

And what if the gift is a homemade plate of cookies that has no actual market value?

"Even if it's homemade," Lowe says, "it can have a value in excess of the limit, and there's an inherent expectation when giving a gift or receiving something in return. We try to avoid the appearance of any impropriety at all."

Employees receiving gifts should take them to the Ethics Department on the 11th floor of Metro Headquarters.

"We ask that the employee tell the Ethics Department the source of the gift and make an estimate of the value," says Lowe. "We will inform the employee of the charity to which the gift was donated and thank them for their demonstration of good ethics during this holiday season."