

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: 1 November 1977

DATE ISSUED: 15 October 1977

DATE REVISED: March 1, 1991

SUBJECT: Acceptance of Gifts, Entertainment and Gratuities by Department Personnel

I. PURPOSE

The purpose of this Administrative Order is to establish policy for Department personnel pertaining to the Revised Guidelines Governing Receipt of Gifts and Favors by State Officers and Employees.

II. SCOPE

This order has Department-wide applicability.

III. POLICY

- A. Department of Human Services officers and employees shall adhere to the Guidelines Governing Receipt of Gifts and Favors by State Officers and Employees which were promulgated by the Executive Commission on Ethical Standards, i.e., Attachment A to this order.
- B. The Office of the Commissioner shall ensure that Department-level unit heads are advised as to the name, title, location, and mailing address of the Ethics Liaison Officer in order to facilitate compliance with this order and the above-mentioned guidelines.

Division Directors shall ensure that Division staff are advised as to the name, title, location, and mailing address of the Ethics Liaison Officer in order to facilitate compliance with this order and the above-mentioned guidelines.



Alan J. Gibbs
Commissioner



EXECUTIVE COMMISSION ON ETHICAL STANDARDS

STATE OF NEW JERSEY

CN 082

TRENTON, NEW JERSEY 08625-0082

(609) 292-1892

JACOB C. TOPOREK
CHAIRMANRITA L. STRMENSKY
ACTING
EXECUTIVE DIRECTORGUIDELINES GOVERNING RECEIPT OF
GIFTS AND FAVORS BY STATE OFFICERS AND EMPLOYEESPromulgated by the
Executive Commission on Ethical Standards

1. Each department shall require full disclosure by employees to the office of the department head through the Ethics Liaison Officer upon receipt of a gift or any other thing of value, from a person, corporation, or association with whom they have had contact in their official capacity.
2. Each department should designate an Ethics Liaison Officer to monitor compliance with specific procedures under which officers and employees shall proceed upon receipt of a gift or any other thing of value, from a person, corporation, or association with whom they have had contact in their official capacity.
3. All officers and employees should be instructed that any gift or other thing of value received from a person or corporation with whom they have had contact in their official capacity must be reported and remitted immediately to the Ethics Liaison Officer. Similarly, any favor, service, employment or offer of employment from such a person or corporation must be reported immediately.
4. Unsolicited gifts or benefits of trivial or nominal value, such as complimentary articles offered to the public in general, and gifts received as a result of mass advertising mailings to the general business public may be retained by the recipient or the recipient's department for general use if such use does not create an impression of a conflict of interest or a violation of the public trust. An impression of a conflict may be created, for example, if an employee of a regulatory agency uses a pocket calendar conspicuously marked with the name of a company that it regulates or if an office in a State agency displays a wall calendar from a vendor, creating the impression of an endorsement. If circumstances exist which create a reasonable doubt as to the intention with which the gift or benefit was offered, the other paragraphs of these Guidelines govern.
5. The Ethics Liaison Officer shall determinate whether the gift, favor, employment, offer of employment, or anything of value was given or offered with the intent to influence or

reward the performance of the recipient's public duties and responsibilities, or whether it may be reasonably inferred to have been given or offered with the intent to influence the performance of his or her public duties and responsibilities, or whether the use of the item will create an impression of a conflict of interest or a violation of the public trust.

6. Upon a determination that there was an intent or it could be reasonably inferred that there was an intent to influence the performance of the recipient's public duties and responsibilities, or that the use of the item will create the impression of a conflict or a violation of the public trust, the Ethics Liaison Officer shall return the gift or thing of value to the donor.
7. The Ethics Liaison Officer will have the responsibility of keeping the records of all such occurrences; names of the employees, individuals, and companies involved, and the final disposition of the gift or thing of value.
8. The assistance of the Director of the Executive Commission will be available to all Ethics Liaison Officers to aid them in the evaluation of individual cases.

Revised March 1990

DEPARTMENT OF HUMAN SERVICES
INTER-OFFICE COMMUNICATION

TO: Employee Relations Coordinators

DATE: January 19, 1996

FROM: David Zaleski 
Director of Employee Relations

TELEPHONE: (609) 292-9267

SUBJECT: Corrective/Disciplinary Actions Regarding Possible Violation of Department of Human Services' Code of Ethics

As you are aware, the Department's Code of Ethics is set forth in Administrative Order 4:05. If an incident occurs which subjects an employee to possible corrective/disciplinary action because she/he may have violated the Code of Ethics, the following actions will be taken. A report will be submitted to the Director of Employee Relations by the Employee Relations Coordinator setting forth the incident in complete detail with copies of all pertinent documents. Upon receipt, the Director will refer the matter to the Department's Ethics Liaison Officer for review by the Executive Commission on Ethical Standards to determine if an indication of a violation is supported. No corrective/disciplinary action regarding the possible violation will be issued until the Employee Relations Coordinator is advised to proceed by the DHS Office of Employee Relations.

Any questions regarding this matter are to be referred to the DHS Office of Employee Relations. Thank you for your assistance and cooperation. Please see DISCIPLINARY DIRECTIVE: 18.

an

action, the Director, or designee, will forward appropriate documents to the Ethics Liaison Officer for advisement of the Commission as to the ultimate disposition of the matter.

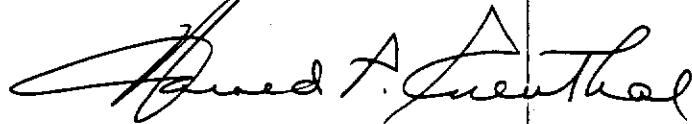
Any questions regarding this Directive shall be addressed by the DHS Office of Employee Relations.



David Zaleski
Director of Employee Relations

an

APPROVED BY:



Harold P Rosenthal
Assistant Commissioner
for Human Resources