



## ADMINISTRATIVE POLICY TEMPLATE

<b>Policy Title</b>	Vendor Gift Acceptance Policy
<b>Policy Subtitle/Subject</b>	Guidelines for Soliciting or Accepting Gifts from Vendors
<b>Responsible Executive(s) (RE)</b>	Patrick Norton, SVP and COO
<b>Responsible Office(s) (RO)</b>	Chief Operating Officer
<b>Primary Point of Contact from RO</b>	Blair David
<b>Contact Information (email and phone)</b>	bdavid@tulane.edu (504) 314-2899
<b>Date Proposed</b>	10/3/24
<b>Reviewed</b>	10/30/2024
<b>Last Updated</b>	10/30/2024
<b>Effective Date</b>	10/31/2024

Permanent

Temporary

### 1.0 POLICY STATEMENT

This policy establishes guidelines for the solicitation or acceptance of gifts from vendors doing business or seeking to do business with the University. Acceptance of gifts or other special benefits from vendors can give the appearance of impropriety, compromise the integrity of the University and its employees, or create a conflict of interest or the appearance of a conflict of interest. This policy aims to promote transparency and fairness in all vendor relationships while allowing for appropriate business courtesies.

### 2.0 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on the solicitation or acceptance of gifts from vendors to prevent impropriety or the appearance of impropriety in the university's business dealings. It addresses legal and ethical considerations related to gift acceptance and aims to protect the university's reputation and interests.

### 3.0 APPLICABILITY OF THIS POLICY

This policy applies to all faculty, staff, and administrators of the university who are involved in procurement decisions or who have direct relationships with vendors or potential vendors. This policy is subject to the requirements of the Tulane University Policies on Conflicts of Commitment and Interest.

### 4.0 WEBSITE ADDRESS FOR THIS POLICY

*Enterprise Risk Services will add the web address of the policy after it is added to the policy library.*

### 5.0 CONTACTS

Subject	Contact	Telephone	E-mail/Web Address
Vendor Gift Acceptance Policy	Blair David	(504)314-2899	bdavid@tulane.edu

### 6.0 CONTENT

- 7.0 Definitions
- 8.0 Policy and Procedures
- 9.0 Consequence of Violating the Policy
- 10.0 Appendices

### 7.0 DEFINITIONS

- **Gift or Other Special Benefit:** Any item of value given to a university employee by a vendor or potential vendor, including but not limited to money, loans, advances, special discounts, free merchandise, goods, meals, entertainment, travel or services unrelated to official duties.
- **Vendor:** Any individual or organization or entity that provides or seeks to provide goods or services to the university.

- **Nominal Value:** A gift with a fair market value of \$50 or less.
- **Conflict of Interest:** A situation in which an employee's personal interests, relationships, or activities could improperly influence or appear to influence their decision-making in university business, particularly in procurement or vendor relations.
- **De Minimis Items:** Promotional or courtesy items of minimal value, such as pens, notepads, or mugs, that are typically distributed widely and are not intended to influence procurement decisions. Generally, these items should not exceed a value of \$10 each.
- **Direct Relationship:** A professional connection between a university employee and a vendor where the employee has decision-making authority, influence, or regular interaction regarding the vendor's products or services. This includes, but is not limited to:
  - Involvement in selecting or evaluating vendors
  - Negotiating contracts or terms of service
  - Approving purchases or payments
  - Managing ongoing vendor relationships
  - Regularly interacting with vendor representatives as part of job duties

## 8.0 POLICY AND PROCEDURES

### 8.1 General Guidelines

- This policy is subject to any requirements of the Tulane University Policies on Conflicts of Commitment and Interest. This includes, but is not limited to, Tulane University Policies on Conflicts of Commitment and Interest requirements pertaining to:
  - individuals considered Investigators and/or Research Oversight Officials
  - members of the Tulane University Medical Group and other health care providers
  - entities that sponsor research
  - relationships with Vendors/Contractors
- The solicitation or acceptance of gifts from vendors is not permitted except under the following conditions:
  - The gift directly supports an official program, initiative, or event sponsored by the institution as approved by department head. All gifts must be used for legitimate, institution-approved purposes, such as enhancing educational programs, funding research activities, or supporting institutional events, and must not result in any conflict of interest or the appearance thereof. With prior supervisor approval, some Vendors may also be solicited to sponsor events, provided the

sponsorship is acknowledged transparently and the vendor receives no undue advantage or preferential treatment in return. Gifts of cash or cash equivalents (e.g., gift cards) are strictly prohibited.

- The gift is unsolicited, has nominal value (\$50 or less) and is not provided more than twice per year from any single vendor. Any gifts received from the same vendor over a one-year period will be considered in aggregate to ensure that cumulative gifts do not create an appearance of impropriety. If cumulative gifts from the same vendor exceed \$100 in value over a one-year period, employees must report this to their supervisor or return the gift.
  - The gift is lunch or refreshments during a meeting that the vendor attends or openly sponsors and does not exceed \$50 per person in value.
  - Promotional items of minimal value (e.g., pens, notepads, hats) distributed to all customers are acceptable.
  - Plant, food or holiday gift baskets that cannot be returned may be accepted if shared with other departmental staff.
- Gifts that violate this policy should be returned to the vendor as soon as possible. Gifts that can't be returned as a practical matter, such as plant, food and holiday gift baskets and "de minimus" gifts, such as mugs, tote bags, and other promotional items, should be shared with others in the department
  - If an employee receives a gift that violates this policy, they must notify their supervisor immediately and return the gift, if practical. The supervisor will provide guidance on how to handle the situation and ensure proper documentation. If returning the gift is impractical (e.g., perishable goods), the gift should be shared with the department as outlined in this policy.
  - Employees must use reasonable judgment to assess the fair market value of any gift. If the value of a gift is uncertain, the employee must seek guidance from their supervisor to determine whether the gift meets the 'nominal value' threshold."

## **8.2 Attendance at vendor-sponsored events**

- Compliance with this policy is required when attending vendor sponsored events.
- Attendance at vendor sponsored events must be approved by the employee's supervisor and a senior vice president prior to attendance.

## **8.3 Reporting**

- All gifts unless otherwise excluded by policy, must be reported to the employee's supervisor and the COO's office using the Gift Disclosure Form (see Appendix I).

- The COO's Office will maintain a log of all reported gifts.
- Per Federal and State reporting requirements, all gifts received from non-U.S. entities must be reported within ten days of receipt of the gift. All gifts should be reported at [https://forms.tulane.edu/frevvo/web/tn/tulaneforms/u/886c09ec-2b0d-45a4-a452-0dec06850a05/app/\\_5Nbkglx3EeqfGKDhTjHHqA/formtype/\\_1e9qQOU4Ee255M-i5VOJNQ?\\_method=post&embed=true](https://forms.tulane.edu/frevvo/web/tn/tulaneforms/u/886c09ec-2b0d-45a4-a452-0dec06850a05/app/_5Nbkglx3EeqfGKDhTjHHqA/formtype/_1e9qQOU4Ee255M-i5VOJNQ?_method=post&embed=true)
- More information on the foreign gift policy can be accessed at [Foreign Gift and Contract Reporting | Tulane Policy](#)

#### **8.4 Conflict of Interest**

- Employees must disclose any potential conflicts of interest arising from vendor relationships to their supervisor and the University's Conflict of Interest Committee <https://coi.tulane.edu/> and are subject to any requirements of the Tulane University Policies on Conflicts of Commitment and Interest.

#### **8.5 Document Retention**

- Gift Disclosure Forms and related documentation will be retained for a period of 7 years.

### **9.0 CONSEQUENCE OF VIOLATING THE POLICY**

Violation of this policy may result in disciplinary action, up to and including termination and/or criminal prosecution. All members of the university community are expected to comply with this policy as well as all other university policies and procedures.

#### **APPENDIX I**

Gift Disclosure Form

#### **APPENDIX II**

- Gratuities Policy- Staff Handbook
- Policies on Conflict of Commitment and Interest
- Procurement Policy