

EXECUTIVE ORDER NO. S-7-14

ACCEPTANCE OF GRATUITIES

PURPOSE:

To clarify City of Omaha policy pertaining to the acceptance of gratuities from City contractors.

POLICY AND PROCEDURES:


- A. All City of Omaha employees are reminded that Nebraska state law prohibits all officers and employees of the City from directly or indirectly soliciting or receiving from a City contractor or his or her agent any gift of money, supplies of any kind, or any valuable or special privilege. Such conduct shall constitute malfeasance in office and a criminal misdemeanor.
- B. City of Omaha employees who accept anything of value from individuals or firms who seek to do or are doing business with the City of Omaha, whether or not prohibited by state law, must report this to the Law Department
- C. "Anything of value" shall not include:
 1. Gifts motivated by obvious family or personal relationships when the circumstances make it clear that the motivating factor is the relationship rather than the public employment.
 2. Food and refreshments of a nominal value received in the ordinary course of a luncheon, business meeting, or educational seminar that the employee is properly attending.
- D. Provide the Law Department the following information:
 1. Your name.
 2. The department for which you work.
 3. The person and/or company offering the gratuity.
 4. Description of the gratuity.
 5. Approximate value of the gratuity.
- E. All reports shall be kept for a reasonable amount of time. If a possible violation of law is indicated, appropriate legal advice shall be provided the reporting employee. Failure to receive a response to a report shall not be construed as approval of the activity. All City employees remain personally responsible to obey state law.

OVERSIGHT:

The Law Department will have responsibility to oversee this Executive Order.

BY THE POWER VESTED IN ME AS MAYOR BY SECTION 3.04 OF THE HOME RULE CHARTER OF THE CITY OF OMAHA, 1956, AS AMENDED, I HEREBY PROCLAIM THIS TO BE THE EXECUTIVE ORDER ESTABLISHING AND GOVERNING THE POLICY ON THE ACCEPTANCE OF GRATUITIES.

WITNESS my hand as Mayor of the City of Omaha this 9th day of Jan, 2014.



Jean Stothert, Mayor
City of Omaha