

## Focus On: Gifts

### *Where the Gift is Coming From*

The Code addresses gifts in two sections. One concerns gifts from anyone; the other concerns gifts between County employees and officials. A County official or employee cannot accept any item, gift, or service worth more than \$25 when it is offered due to his or her public position or if it *could* be seen as an attempt to influence or reward. The Code also forbids public officials from giving County employees or members any gifts worth more than \$25. Employees and members cannot give each other gifts worth more than \$25 as well.

### *Exceptions*

There are some exceptions to the gift provisions.

- Compensation and expenses paid by the County
- Reported fees and expenses permitted in Chapter 9.14 of the Ethics Code
- Certain reported political contributions
- Hospitality that is unrelated to County business and that is given by an individual or a government

The last exception is the most common. If you have a party or are invited to one, it would not be considered a gift under the code **as long as** (1) the hospitality is based on something other than County business or your County position (i.e. pre-existing friendships, family, etc.) and (2) the hospitality provided is *not* from an organization.

### *When Can You Accept a Gift*

How do you know if you can accept the gift?

First, ask yourself “**Would I be offered this gift if I were not working for the County?**”

If the answer is no, then the gift is being offered to you because of your public position and you should not accept it.

Next, ask yourself “**Could someone who didn’t know me think the gift was to influence or reward me?**”

Here, consider who the giver is. Are they a contractor or potential contractor with Milwaukee County? Are they a client, representative, or other individual or organization that uses your department’s services?

Simply put, the factor is not if the gift *will* influence you, but if **someone else might reasonably think that it could influence you**. If so, you should not accept the gift.

Third, when in doubt or if you’re on the fence, thank the giver and decline the gift. Explain that as a County employee/official, the Ethics Code prevents you from accepting gifts that could cause an appearance of impropriety or a misunderstanding.

### *Other Considerations*

- If you are required to file a Statement of Economic Interests, you may need to report any allowable gifts you accepted.
- Even an acceptable gift may create ethical issues. For example, a mug with the name of a contractor may be an acceptable gift due to its low value, but you should not use it in your office if it might create an appearance of bias.

### *Disclaimer*

The scenarios in this publication should not be used for general application to other scenarios. If you have questions concerning a potential conflict of interest, contact the Ethics Board. Pursuant to the Ethics Code, your request will remain closed to public inspection unless you request in writing that it be made a public record.



**November  
2018**  
**Promoting  
Milwaukee County  
Government  
Integrity**

# ETHICALLY SPEAKING

Milwaukee County Ethics Board

## Statements of Economic Interests

### What is a Statement of Economic Interests?

Milwaukee County officials, candidates and certain employees must file statements of economic interests (SEI's). SEI's are open to public inspection with the purpose of disclosing the filer's personal financial relationships.

SEI's provide transparency and ensure accountability in two ways:

1. It provides the necessary information to the public about the filer's personal financial interests to ensure that they are making decisions in the best interest of the public.
2. It serves as a reminder to the filer of potential conflicts of interest so the filer can abstain from making or participating in governmental decisions that are deemed conflicts of interest.

### Who is required to file?

Pursuant to the Ethics Code (Chapter 9 of the Milwaukee County General Ordinances), (i) any official, (ii) candidate or (iii) employee *with the authority to award or execute contracts such as purchase agreements, construction of public works, and/or real estate sales or leases*. The Milwaukee County Ethics Board also has the discretion to require members of boards and commissions to file an SEI. Otherwise, the Ethics Code requires department heads to determine which subordinates should be required to file an SEI, (taking into account the duties and responsibilities listed above).

### When are required filers to submit their SEI's?

Annual filers = Within 30 days after the close of the calendar year

Elected officials\* = Within 30 days of taking office

Candidates for elected office = By the Friday following the date of filing nomination papers.

\* Newly elected officials are required to file an SEI with their nomination papers and, if elected, within 30 days after taking office. However, these filings will fulfill that year's annual filing requirement.

*SEI's are instrumental in promoting public trust and ensuring public officials, appointees and employees are serving the public interest.*



=



### About the Ethics Board

The Ethics Board meets quarterly (February, May, August, & November). The Board is the primary source of interpretation of the Ethics Code and provides Advisory Opinions and enforces the Code through investigation, hearings, and resolution processes. Any County official, appointee, employee, or citizen may bring a matter or question before the Board.

### Be Proactive!

You are always welcome to reach out to the Ethics Board office with questions regarding ethics issues or for additional clarification. Your questions and concerns are handled confidentially by our office as well as the Board.

***it never hurts to ask!***

The Ethics Board staff is available to discuss any ethics questions or concerns you may have.

### Contact the Ethics Board

Courthouse Room 212-E

901 North 9th Street

Milwaukee, WI 53233

Phone: (414) 278-5332

Fax: (414) 223-1897

[ethics@milwaukeecountywi.gov](mailto:ethics@milwaukeecountywi.gov)