

**From:** [Russell Nielson](#)  
**To:** [Barb Hehl](#); [Becky Ortinez](#); [Emily Eyre](#); [Jim Wooten](#); [Judy Stoudt](#); [Kerly Barben](#); [Marjean Garowski](#); [Patty Jones](#)  
**Cc:** [LFSCI-Dean's Office Student Accountant](#); [James Porter](#)  
**Subject:** Clarification for business gifts to employees  
**Date:** Friday, November 30, 2018 2:21:32 PM

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All,

Below is a clarifying response from Kevin Walker regarding giving gifts to employees and I thought it may be useful for you in case certain requests come across your desk. Thank you for your continued help and review of transactions.

Russ

2-6788

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**From:** Kevin Walker <klw@byu.edu>  
**Sent:** Friday, November 30, 2018 9:54 AM  
**To:** Russell Nielson <russell\_nielson@byu.edu>  
**Cc:** Preston Back <preston\_back@byu.edu>  
**Subject:** RE: Clarify "Occasional special recognitions with a valid business purpose" ?

Russ,

Thank you for your email. I'm a little hesitant to provide more specific guidance only because I don't want to assume the role as the ultimate gate keeper on this issue (or the meals and hosting policy either for that matter).

That said, let me TRY to give you some direction.

1. The phrase "Authorized University Programs" is intended to mean ONLY those programs that are managed centrally. Those would include (but this is not meant to be a comprehensive list)
  - a. Maeser Awards
  - b. President's Appreciation Awards
  - c. Distinguished Lecturer Awards
  - d. Fred A Schwendimen Award
  - e. Ben E Lewis Management Award
  - f. Alcuin Awards
  - g. SAERA Awards
  
2. I've seen "Special Awards" given for a variety of reasons. Typically, these are small amounts (must be \$100 or less) and are "one offs", in other words, they are occasional, to one or a small group of individuals and are for some special effort made by the recipient. Examples I've seen:
  - a. A \$50 gift card for an admin employee who voluntarily stayed after regular work hours to accomplish month-end close because technical difficulties prevented this task to be closed during normal business hours
  - b. A \$75 gift card to an admin employee who dealt with an extremely difficult customer service situation over several business days and brought it to very successful and mutually agreed upon solution. This person used some amazing creativity to resolve a potentially difficult situation.

- c. A \$50 gift card to an Staff Employee, who went well beyond expectations in organizing, managing, setting up and taking down all aspects of an offsite division wide retreat
- d. A \$50 gift card for an Admin employee who organized a conference for an entity that BYU hosted. He went way beyond expectations, including personal time to organize an evening meals prior to the conference off site and spending his own time finding some unique mementos as a thank you to each of the presenters at the conference.

I believe that this policy allows for, and is intended to be recognition well above and beyond normal expected performance, they should be rare, infrequent and given for individual accomplishment and not in a general distributions for things like:

1. A gift card for everyone's birthday
2. A Christmas bonus for everyone
3. A recognition of everyone's anniversary
4. A recognition for everyone's graduation

Does that help you?

*Kevin L Walker*

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**From:** Russell Nielson <[russell\\_nielson@byu.edu](mailto:russell_nielson@byu.edu)>  
**Sent:** Friday, November 30, 2018 8:59 AM  
**To:** Kevin Walker <[klw@byu.edu](mailto:klw@byu.edu)>  
**Cc:** Preston Back <[preston\\_back@byu.edu](mailto:preston_back@byu.edu)>  
**Subject:** Clarify "Occasional special recognitions with a valid business purpose" ?

Kevin,

I appreciate our discussion yesterday afternoon regarding the question that I raised related to giving gift cards as Christmas gifts to students. I'm grateful for your insights and broad understanding from a university perspective. In reflecting upon our conversation and upon the need to give additional training in our area, I'm hoping that you be willing to clarify in writing by giving some appropriate examples that come to your mind for the below highlighted sections of the policy? Once I receive your input, I would like to share it with our department business managers in our college. Thank you for your willingness to add greater clarity to the stated policies.

Russ

## Business Gifts and Entertainment Policy

Giving and receiving gifts is a customary business practice; however, care must be taken to comply with legal restrictions and to avoid real or perceived conflicts of interest. Appropriate business gifts are those with nominal value (cost, quality, and frequency) given or received without the intent of influencing the recipient's objectivity and decision-making. Cash, cash equivalents, or extravagant gifts should not be given or accepted. University personnel (or members of their families) may not solicit gifts. University personnel are also required to comply with federal, state, and local laws that apply to gifts from or to government employees.

Accepting a ticket or invitation from a supplier to a paid event is only acceptable when it fulfills a legitimate business purpose, such as discussing current projects, developing working relationships, or gathering technical information.

Hosting or giving tickets to university-sponsored events may be appropriate gifts of appreciation for suppliers. However, care should be taken to ensure that the gift does not represent a quid pro quo for preferential treatment by the supplier.

It is not appropriate for university departments to use university funds to purchase gifts for employees other than through [authorized university programs](#). [Occasional special recognitions with a valid business purpose may be provided as outlined in the \[Cash and Cash Equivalents Policy\]\(#\).](#)

## Cash and Cash Equivalents Policy

BYU permits various departments, programs, and services on campus to use cash funds and cash equivalents for various purposes. Cash equivalents are financial instruments, such as gift cards, that are readily convertible into cash.

- - Petty cash funds are primarily used to reimburse individuals for small, incidental, non-travel expenditures. Purchasing cards are the preferred method for covering these incidental expenditures. For this reason, requests for petty cash will only be approved in situations where the purchasing card cannot be used. Reimbursement of petty cash expenditures are made according to the University's established procedures.
  - Change funds are used for the sole purpose of making change to customers in the normal course of business operations. The amount of the change fund is based on the average number and dollar amount of cash transactions.
- Department deposits should be made through the University's cashiering system when cash or checks are received directly by a department. Deposits should be made at least weekly or each day when funds collected exceed \$200. Cash or checks should not be held over the weekend. Gifts received by the university must be reported to LDS

## Philanthropies for proper receipting.

Departments are not to use monies collected to make purchases, cash checks, or extend loans.

- - Research cash funds are used to pay research subjects or survey participants in connection with University approved research. An application must be submitted each time funds are requested.
- Gift cards include prepaid cards, merchant gift cards, gift certificates, coupons, or any other cash equivalent purchased with University funds. Gift cards may be an appropriate form of payment in the following instances: (1) research or survey participants, (2) Approved university, college or department faculty and employee recognition awards (e.g. service awards, retirement) and (3) special recognition when approved by the college dean or auxiliary unit director; not to exceed \$100 per occurrence.