Closed Captioning Transcript for HR Community of Practice Call: Ethics

» Good morning, everybody this is Stephanie coming in for one last audio check before we get started.

 If you can hear me set your status to agree. If not please set your status to disagree so we can make sure everybody can hear before we get started in about a minute and a half. Just a reminder captioning is available in this room. To access it, click on that cc you see at the top of your screen. That will populate a little black box with the captioning showing. Again, if you can hear me please set your status to agree. If not please set your status to degree.

» Alison: This is Alison.

» Steffanie: You are coming in loud and clear.

» Kevin: This is Kevin.

» Steffanie: I can hear you but you are a little bit muffled again. I wonder if your mic needs to be a just &jed. You can check your microphone volume by clicking on the down arrow next to the mic icon. There is an option to adjust volume.

 If you can hear me please set your status to agree. If not set your status to disagree. We will get started in about 15 seconds.

 Just a reminder there is captioning available during this session. Click on the cc at the top of your screen to access it. One last scroll through. It is now that time. I'm going to pass it over to our presenters.

» Kevin: Good afternoon I'm Kevin Green with the human capitol office the technical services services training team. I want to welcome you to this morning's HR community of practice session which will be covering understanding government ethics. As we know as federal employees ethics covers a lot of things to accepting of gifts, use of government resources and even working outside of the government. So our facilitator today is Alison Richards with the office of general council. She will answer any questions you have. The download slides are in the download pod for future use. With that I will turn it over to you, Alison.

» Alison: Hello my name is Alison Richards I am an attorney with the VA ethics team. This is focused on general ethics guide ABC. A few things that are specific that you may interact with in the HR world and different things with relationships among employees and the other entities that we work with. We will go through here. I usually make this interactive. With your group the way it is set up with so many people, I will some things is permissible or not. You can hit agree or disagree. I will watch the chat for questions. We are not going to get real detailed. We just don't have time for that. I will go through some general things that frequently come up, things we are seeing now more as we change coming back to the office and other things that are coming up in other situations.

 So the VA ethics program this highlights who we are. Kathy,cathy sprays Mitrano is our designated agency ethics. It also has our contact information. I've also broken them down here. We work by state for the regions so you can find your state and which group you would contact. Typically if you send an E-mail to one of those E-mail boxes you will hear back within 24 to 48 hours. If you don't, then send it again or you may reach out to me. I want to highlight one thing we have started within the ethics program we are moving from the EST to the agency ethics program. Now every -- both all VHS, have deputy agency officials it is brandy. That is another person to work with if you have ethics questions. She can respond to those and she can always contact our office. I work directly with her. It is giving you other contacts to cope getting ethical information out to all employees.

 So one of the biggest questions I get frequently is on reporting, who do I report to? Who do I talk to? So our office the ethics tomorrow we work with various groups depending on what the question deals with. we work with OIG on potential criminal violations. He work with the OAWP sometimes when there are questions that come up with work with the office of special counsel. They we work with other groups within OGC. Often ethical issues will turn to other issues. Personnel law and things of that nature. We assist with those groups. We are not abdomen investigative body. I can't go out and gather all of the facts. I can ask questions of folks, but I can't go out and interview people and obtain that information. That's usually going to be done by the facilities or the regional offices thousand a fact finding in AIB or some other entity. So that's how that is. We can use the information to give you an ethics response. There are 2 groups that are some required reporters. I'm not a personnel attorney I am an ethics attorney. OIG there are certain times when you must report to examine this. Abuse of time which may have ethics involved or misappropriations of funds. Sometimes we contact them or say this may be a situation you want to contact the office. Ask if there is something we need to contact OIG and we say yes. When we say we have seen a criminal violation but we work directly with our client. OAWP is senior leader misconduct or poor performance and whistle blower. We are not always involved in those. There may be situations where you need to report even if we didn't directly say that or something. It is not always us that is responsible for that. We work with those groups when senior issues cross over into government ethics.

 So every federal agency across the United States is required to create and maintain ethical culture. The big thing is public service is a public trust. Place loyalty to the constitution and prince pills above private gain. So this is the principle of everything we work on stands. It's where everything starts and we go from there.

 So one thing that's highlighted within the ethical guidance is managers and supervise or's responsibilities. Managers serve as a role model for ethical behavior, ensure subordinates are aware of ethical obligations. Sometimes folks go to their manager first to saying I'm considering this outside activity, is it okay? Is this something I need to recuse from because of whatever interest I might have. Those are things the managers and supervise are odds might hear first. I think our office could use some training. I did for example facility on the west coast a regional office said I think we need some updates on outside activities amongst employees. I did some specific very targeted training just an outside activities that went really well to a large group. I'm doing one as people start returning to the office some issue that's they come up with. I'm doing a specific targeted training for that in another regional office. Those are all things that we can assist clients if they need a specific supervise or training at time those are different things. I'm not the only one the whole team did that. The other thing is identifying positions subject to financial disclosure requirements. Sometimes if employees are not fulfilling their financial disclosure requirements we will come back to the supervisors. We tried to reach them we need some help. Sometimes it is questions what exactly do they do? I learned one person their title -- I asked what was it. they did all education content. There were designer. So those things help just to be able can you give me a little bit more to understand what it is the employee is doing so I can know whether their outside interests may have a conflict.

 So everyone knows that highlight our ICARE. Maintain trust and confidence. That's what we are here to do and that's how the ethic rules and laws play in. They were designed to create this idea of integrity and maintain it across the board. Those are for all federal agencies. Sometimes I have VA folks it doesn't really work for us. This is for every federal employee. So sometimes we can find little caveats and sometimes not. We are here to make sure we can ensure that we comply with those and also do our mission of serving veterans.

 So I'm not going to go through these. You have the slides. But these highlight the 2 groups we work with the criminal conflict of interest statutes which are at 201-2 o 9. Violations of can have going to the Department of Justice for criminal prosecution and penalties. They deal with outside interests, representation and we will highlight a few of them today. Gifts an things of that it in a you are.

 So those standards go to these 14 general principles. They are foundation prince pills you can click on this if you ever want to look at them in more detail. There are 2 concepts. Do not use your public office for your own private gain and do not give unauthorized preferential treatment to any private organization and individual. The dos and don't. Really it comes down to the big things people will take away these 2 main concepts.

 If you are ever in doubt ask us. It is always better to know ahead of time than trying to fix it after. Then people appreciate what we have the safe harbor. As long as you fully disclose all of the relevant facts, you can have this good fake relying on the advice even if we are incorrect. As long as you are following that you will likely be -- criminal prosecution will most likely be decline and you won't face disciplinary action. If folks hide something or they don't say, maybe they say, I had a position with X company but they don't mention that but I also have $15,000 in stock. If you don't mention the extra piece I don't have the relevant facts so it could change that. That's often why we come back if we think there is an ethical violation you may have us asking more and more and more questions. Sometimes it is even highlighting the right question to ask.

 The best idea is to disclose up front and you can rely what we provide to you. All of those things are things folks might consider. Sometimes we weren't correct. You can't do this or we know it was okay and now it's not. For that period where you were filing the initial advice you will be okay even if we later say this is something that has changed and now we have to look at it a different way.

 So one of the big things we face which impacts a lot of employees is conflict of interest. I like this Ven diagram. Your financial interests should be one hand and the other is VA duties. That is great if they never touch. If they cross over you have to be worried about the part in the middle. Even though they are crossing over you can stay in one circle or the other when you are doing things. That little bit is where we look at folks outside financial interests.

 So outside activities, there is no prohibition to outside employment and being involved in outside groups and activities even if they involve working with with and serving veteran. You can't engage in outside employment or outside activity that conflicts with duties. It takes a lot to say it conflicts. For the most part what you will end up doing is recusing from certain things within VA.

 So the big ones if conflicts if it is prohibited by statute. You can't do partisan political activity at work. I know I did training with all of you guys a white back. Those are things to be thinking about. The other one that impacts VBA is 3681. Those are for profit educational institutions. There are groups that work with educational benefits if you are going to be working or receiving services from a for profit educational institution, you need to go through what we call a waiver process. And that's all highlighted on our website. I think most people are catch up on those. If they work with a for profit recently they have been reaching out. That highlights the reasons. Those are things -- this is only for profit educational institutions. If you're taking classes at the university of Washington that is not a for profit educational institution. We have a great way you can identify which schools do fit into those categories.

 The other activity that's would conflict if it would require disqualification from basically being able to do your job. Your ability to do your job would be materially impaired, these don't come up often but there are some groups we have outlined for example with chiefs of staff at medical facilities. They cannot have outside positions with their affiliates. We need someone to sign off on contracts. They are the final person. That would be one where it is your ability to do your job would be materially impaired. These are less but it can come up. VBA we see it when folks are like I am going to take an outside position handling veteran benefits are you going to do your VA job if you have this outside position that can knock out your ability to review anything coming from that VSO? Those are things it could impact. Those we work with supervise ors to say here is what is going on. What is the situation? Can this person do this without being completely conflicted out of their own position?

 So for outside activities here is the idea you cannot participate in official matters involving your outside interests. If you had -- you took a position with a company and EEO took a position at a law firm. They have a claim before the VA you cannot then be handling that veteran's appeal within VBA. It could impact your outside financial interest. You need to step away. You can't use your official position to benefit outside entities. You couldn't say this group is the best or trying to push work to that group, anything of that nature would be impermissible. Another one is you cannot represent another. I say another means essentially anyone but yourself before any federal agency with an intent to influence official action. That is not just people it also means organizations or entities. This is not just VA. This is any federal agency. So sometimes we have employees that are like I work here but I am going to go take a position helping with social security appeals. No employee can represent another before Social Security. You couldn't handle VA appeals on the side and then representing those folks before the VA and their appeals that.

 Would be another situation with representation. You can't do anything that implies government endorsement. If you are participating in some social media for your local company or something in your area you shouldn't be wearing a big VA shirt or saying as a VA employee we love this place. That would be a government endorsement. Anything that is giving the idea that VA is standing behind those product it would be those things. You can't use your official resources for outside activities. It shouldn't be on VA time using VA equipment. This includes your VA E-mail. They should not come back and forth to your VA E-mail setting up whatever if you work for some organization handling that as well with your VA E-mail. It includes your position. Those type of things you should not be doing. You should never disclose non-public information. You shouldn't use your title and relation to outside employment. It should not be mentioned. Sometimes folks join boards of outside groups and then you go and look at the website. It tells all of the board members. They will be like my name Alison Richards I could not just say Alison Richards department of veterans a affairs office of VA council. It looks like I am there as part of the VA it is not. You cannot be using your position to engage in fund raising. Those are things that we often caution employees through. For the most part folks will not run up against these. Keep your outside activities separate and distinct. With that conflict thing is what we call the appearance statute. The appearances matter just as much as the actual conflict. The appearance of the conflict. You have to remain I am patient in your official duties. Even if you don't have a direct financial conflict that will be under the criminal statute you won't want to touch on anything that gives the appearance that it might be. You should not participate in an official matter that will affect the financial matter of a member of your household, your spouse your children, your parents. Not all siblings. You might think about how they might be related to you or what that relationship is and anyone you have a coveted relationship. This includes any group in any capacity outside of the VA. It includes your source's employer. It includes if you are seeking employment. If you are starting to think about looking for another job and start talking a bit those folks will come into your covered relationship. I'm thinking about joining this group and I am still going to work on matters with the VA you shouldn't be doing that. Think about recusal. Those groups come into your covered relationships.

 It is highlighted here who those groups r your spouse, child dependent parents, close family relationships are going to be pulled in. Perspective employers. Businesses you serve. It is not just employees. If you are a consultant or contractor. Any person their spouse, parent, child has the capacity of responsibility. Those groups are all going to fall into your covered relationship. It could be like I don't work for the VSO but my spouse does. That will be something that you've got to really make sure you're keeping that line and potentially recusing yourself from certain activities. You have to be recused from anything involving your spouse.

 What do you do if you are facing a potential conflict? Stop. Don't participate until you have identified it and seek ethics advice and whether a remedy is necessary. Sometimes it may be refusal and say you can participate in this there is an appearance issue. The need to the government outweighs that potential issue. Let's go forward. We did quite a few of these during COVID with VHA they were doing research on COVID. That was one situation that we do authorization. We do them in other things for our previous employers folks come over and join us. They have that relationship for one year with their prior employer. We might do an authorization to say you can continue participating in those activities. If it is something like stocks and things of that nature. We may say you need to sell the conflict of interest. We do a full waive I remember. Those do not come up in VBA as much. I see them in VHA research. That's usually because someone developed something an invention. It's needed out in the marketplace. We want to make sure they can be working in that area of research. Those are things we will look agent the impact there. All of those things talk with us, your supervisor. We can figure out what's the best way to handling the potential conflict.

 Here is one, quite frequently it is coming up. An employee in specially adapted housing is interested in working as a real estate agent they also handle a facials review. Could the employee work with a veteran as a real estate client? Agree or disagree? Yes they could work with a client. Disagree means they could not. I'm seeing quite a few thumbs down. This one is interesting. It would really depend. It doesn't mean that if folks are a real estate agent they are disincluded from having veterans. What they couldn't be involved with is the appraisal. They would have to step away in VA anything involving any client. Think about it, it might not be injure specific client. If you are working with a real estate company like a brokerage company or something of that nature, then you have to take those clients. So it's very tricky. It is something you really got to think through whether it's worth it. I always caution folks do not handout if you are a real estate agent do not handout business cards at work. Don't hand them to veterans and other employees. Those are things to be thinking about. You are walking an interesting line. This is one where you absolutely want to talk to us. I have had a ton of real he is straight questions probably in the last year. I don't know if it is because the market is hot and everybody wants to become a real estate agent. Those are things to think about.

 Also get this when folks sign up to take on co-workers as clients. This is not absolutely prohibited but it can cry ate a lot of issues especially if things don't go well. We can outline things folks should think about. It doesn't mean they couldn't work with veterans they have to absolutely recuse recuse. They couldn't represent the veteran if they were seeking something before the VA. They couldn't handle it. It crosses over to lone guarantee and things of that nature. It is something that employees have to think through. Most of the employees might say nope, it is not worth it. I won't take any veterans. I will keep this separate. That can be their situation. Those are things to go through when this comes up. So a part time VBA employee handles calls on benefits. The employee also works part time for a veteran service organization. During calls while working at VBA the employee frequently mentions the good work of the VSO. Is this permissible? Yes it is fine and disagree if you think it's not the employee should not be mentioning the VSO. I'm happy to see folks are putting their thumbs down. This is not okay. This would essentially be using your public office for private gain. Your frequent referrals to the VSO you are looking at a criminal violation because you are a employee. Even promoting it and encouraging it, that is not okay. Really any time we mention anything to clients it should be a list of things if we are working with veterans and many of them know about options. It should be a list. Here are all of the options let the veteran pick. We are never picking for them. This would not be permissible. It would definitely be an issue. The employee has other things to think about. You cannot promote your outside interest while at work.

 As I mentioned before there is this representation situation. You cannot represent someone or share in fees. Some people think I am not representing the veterans. If you take a job with on outside group like a law firm or any group that handles VA appeals and they share the compensation among the employees that would be another situation. You cannot receive any of those funds. Those are things to think about. There are exceptions you can represent yourself, your spouse, your child or your parent as long as you are knots compensated. My father is a veteran. If he had some VA appeal I could potentially represent him in that as long as he is not compensating me behind the scenes work it is fine you can assist them. Remember there can be no sharing of non-public interest that you may know from within the VA.

 So representation is defined what it is, a communication to or appearance before a federal agency or court on behalf of another with intent to influence official action. Sharing information is not going to qualify as a representation. We get this a lot for medical providers that may work in the community. Can they share about veteran treatment with the VA? Yes. That is not a representation they are saying I need to know what is going on because I am treating them in the community. If you are asking anything of the agency or disagreeing in any way with the agency that counts as a representation. This includes not just meetings, letters, telephone calls, E-mails those all fall into representation. Any time you are saying I agree with what they are saying you will walk into this representation. This is not just the VA this is all federal agencies. So those are things is that folks need to think about. You can represent yourself if you have an IRS issue. You absolutely could do that. You couldn't be taking your neighbor's IRS claims and saying I will give them a call and deal with this. That would not be permissible. An employee is a veteran service rater and she is approached by her father for assist with his disability rating claim. Agree or disagree that she can assist her father.

 I realize you can assist. They were worked up about it. They saw it as assisting from within the inside. This employee could potentially help her father. She could not be sitting at her work desk being like I will do a few little things to help my dad's claim or look into his file using her VA position to do that. She really needs to be she is completely on the outside assisting her father. In many ways -- hopefully you can figure out the idea of helping family members. You have to do that completely on rt outside and you are not using your VA position to obtain information or look things up. That would be impermissible. I see it as you're thumb is in the middle. You have to make sure you are walking on the right side of the situation when this comes up.

 So board service we get questions about these a lot. If you are ever on a board officially that means you are on the in your VA capacity. That must be approved by the under secretary. You can't just be this relates to the VA I am going to serve on this board. It has an approval process. We give ethical guidance for those folks about what they can and can't be involved in. For personal capacity you can serve on a board as long as it doesn't conflict with your VA duties. This is the same idea. Don't use your government position and title that implies the VA endorses. The big thing is fund-raising. You cannot solicit anybody that soaks business with the VA. You shouldn't be using your VA -- you shouldn't be fund-raising from those folks. You cannot use your title for fund-raising if it is a fund-raising thinking about how your name is displayed and whether you are using your VA position or title.

 So a VA employee is also a veteran holds a board position with a veteran service organization. The VSO wishes to host a car show in the VA clinic parking lot. Can the employee ask the clinic permission to have the show. Do you think it is okay? Thumbs up agree. If you do not think they could, thumbs down disagree. What do people think. I'm glad I am seeing thumbs down. This would be essentially representation. You wouldn't think it is but you are asking the clinic to take some type of action. That is opening up their clinic to have a car show.

 I really the employee is on the board because they are a veteran. It is not because they are an employee. That is the thing you have to think about the actions you do. This would not be okay. We get this a lot in dish context. I'm not talking to VBA I am talking to VHA or NCA. They are all part of the federal government. All of those would be imper miss A

 We are going to switch gears to gifts which is another big think that folks have brought up. One thing I always say with gifts before you get anywhere always consider whether acceptance of a gift would load a person to question your impartiality and integrity yeah, this gift is totally fine. There may be an exception for it. Does it not look right? There may be something that allows it, it is bet for decline the gift. I say these when veterans try to give you gifts. It is super hard they are super insistent. They really want to show thanks or appreciation. The idea you wouldn't want any other vet and they gave a gift so I have to give a gift to get the same service. This would be one even though there are some exceptions that says it is okay. It is better to decline it.

 What is a gift? Anything that has any monetary value. It includes -- it is not just tangible items. It includes tickets and things of that nature, anything that you could use in some context. What it doesn't include are greeting cards, presentational items the paper weight or the pen is not likely to fit into a fit. Modest items of food and refreshments. This is like the buying begals. Cookies but not a meal. It is the smaller little treats the break room type ideas. Opportunities and benefits available to the public. So this is anything you could go out and do. So if they are essentially giving something to all -- we see this like they are having someplace is having a free dinner and it's for all veterans you are also an employee that is something you can do. It has nothing to do with being an employee. We see nurses week. During COVID Krispy Kreme offered donuts to all healthcare workers. Rewards and contents open to the public. Where you drop your business card in as long as it is public. I was at the fair and dropped it in and I won. That would be open to the public if it is part of official duties or not open to public it is a federal confidence or something where you had to pay to participate you were is there as part of your officials duties that would not shall permissible. Anything paid for by the government. If government purchases software that would be an opportunity paid for by the government is not considered a gift.

 The big thing is you cannot solicit a begin or accept a gift because of your official position or from a prohibited source. This is my job and someone is like let me buy your dinner that would be a gift due to your official position it wouldn't be okay. Anything from a prohibited source. It is anyone seeking official action by the agency. Anyone doing or seek to go do business. Anyone related by the VA and anyone substantially affected by the perform answer of your duties.

 Prohibited sources are veterans, VSO any contractor or vendor that we work with those are all prohibited sources you wouldn't be accepting gifts from those entities. So there are some exceptions. You can receive unsolicited gifts. So don't be asking hey, what do you got to give me? That is not a good idea. $20 or less providing you don't accept more than $50 in a calendar year. If a vendor offered you a $10 lunch this woke and 6 months later they offered you a $10 lunch you can except both under $20 but you have to stay under $50 for the year. If they offered you a stainless steal mug that is $3 it is not something you can keep. It just has to be very clear that those gifts are being given because of your outside relationships. I had an interesting question from a VBA director who her son was actually in the same class as one of her subordinates, children. They had a birthday part I. All of the kids in the class -- she was concerned if they could accept -- didn't know if she could accept the birthday present that they brought for the child. As long as it can be shown it is a personal relationship that is guiding this, this is based on the relationship between the sons in fist grade that would be okay. If it was for some reason that person bought a $300 gift and everybody brought $20 it might look suspicious. That would be where it is okay to accept the gift. Widely attended gatherings. Galaa and things, big events, you can accept the attendance in those things even if it includes a dinner. Those do need approval by going through our office. Those are things you would want to talk to us before accepting attendance at certain events. Usually you are there in your official capacity. That's something we would look at. Discounts and opportunities offered to a group or when membership is not related government employment.

 This is things where you are being invited for other reasons. You just happen to be a VA employee as well.

 So if you get a gift that you cannot keep, here you can return it which is ideal or decline it. You can pay fair market value. If the market value is $100 or less you can destroy it. Official gift acceptance by the VA. If people give you gift cards or other things and you can't get them to take it back it can be turned over to the agency itself. Usually those are used to then be part of our programs of things we give to the veterans. Gift cards they may use them as part of the homeless veteran program to pay for meals. Those can be turned over usually through voluntary services. They use them to buy things for other veterans that may be in need.

 They could be done. That's allowable because it's a federal entity. You couldn't say I'm going to give it to a local nonprofit or something of that nature. That wouldn't be the same thing. That would be you determining that is really accepting the gift and giving it away. If it is a perishable item the supervise or could decide to throw it away or share it. If someone dropped off a fruit basket or fruit basket they could be shared with the office because they will be go bad. If it is flowers and things of that Nate you could turn it over to a nursing home or some other entity for them to enjoy.

 A local VSO is giving away tickets to a professional baseball game. If also a veteran can a VBA employee accept the tickets? Thumbs up yes they can or no, thumbs down?

 I have both here. It is the issue in what capacity are they accepting the tickets. If they are accepting the tickets, being given the tickets because they are a veteran it has nothing to do with being a VA employee you have to be sure you can establish that. It would be okay. You have to show that is the reason. Based on this personal relationship or status. If you are getting them because you are a VA employee this would be an absolute no. It is kind of figuring out what hat you are wearing and in what capacity are you taking this item.

 As someone mentioned you have the appearance issue. That's what you are having to really think about. Does it look like you are getting something because you work for the VBA? This may be one where you are like my integrity doesn't look good. I should decline this no matter what. This VSO is only reaching out to you, it is not a good idea. If you get this because you are some veteran on some big mailing list and you happen to be the one that receives it, it might be okay. Hopefully not coming to your VA E-mail. It is completely separate and outside of the VA.

 An plea eye completes a vendor survey. They accept a $20 gift card. May the employee accept the gifts? Give a thumbs up if you think they Cox thumbs down if you think they cannot. If you are being can asked as a government employee decline it. there is an exception $20. You never accept cash. If you get those visa cards those are considered cash because they are essentially used like cash. That would be a situation. A lot of times we see these cards for places like Amazon and target. If you are doing this on your government time using your government equipment because you are a government employee the best idea is decline the gift card.

 Recently we had a lot of this with blood drives. If you let us sign up and everybody gets entered to win a $100 gift card can we do this? The blood drive is going to be here in the parking lot. Those are questions we get. We have to consider and see are they doing this same thing for every place that they stop and do a blood drive? With these vendor surveys you need to be careful. Again, I love how people mention appearances. It is always the ability to just say no it looks better that way. It may be exceptions. You could ask us if it is something you want. Do the things on your own time if you are going to do surveys or complete them. Do them on your own time using your own equipment.

 A VBA asked to speak at a local college on veteran benefits. The college wants to present the employee with a sweat shirt from the school. May they accept the sweat shirt? Thumbs up if you agree thumbs down if you disagree.

 I am seeing both. You can accept presentational item items. Sweat shirts are tough. It can be $40, $50. It is not really a presentational item. Most likely this would be something to decline. If they were giving you a small pen or a little paper weight or some type of plaque saying thanks for speaking that would be okay. The sweat shirt may be crossing that over to this is beyond the presentation item and it is most likely over $20. You are there speaking about veteran benefits. You are not there speaking on something of your own general expertise. If you are ever speaking about things like all veterans benefit you should not receive an honorarium. You shouldn't be seeking outside compensation.

 So between employees, with employees you cannot directly or indirectly give a gift or make a donation towards a gift for a supervisor. You should not solicit contributions for such a gift. The idea is really subordinates shouldn't be giving gifts to superior. A subpoena I remember I don't remember should never accept a gift from an employee receiving less pay. That is not your direct subpoena or et unless the only way it may be okay unless they are not -- unless there is a personal relationship that would justify the gift. You would have some outside connection. Therefore you were friends before you joined the VA or something like that that may justify the limit. There is no limitation to essential co-workers at the same level. The pay issue you have to be thinking. If they are next to each on never the cubicals and gifting them buying them lunch that's okay. Common sense should always apply with anything of that it that you are. That is just something to think about. There are the exceptions. The occasional basis. This is when gifts are really traditionally gifted. Think about boss's day. Your birthday. Somebody went to Hawaii and brings back those -- there is some type of fancy nut. Those would be things that would you traditionally exchange. It is items other than cash and less than $10 or less. Pot luck right before thanksgiving we will have everybody bring something we are all going to share together. That would be okay for everyone to share in the food or refreshments. Personal hospitality if you are going to a superior's house you bring a house warming gift that would be something where it is okay. Co-nated loaf is a permissible gift. Cash is not acceptable in this case. You shouldn't be giving cash. For these exceptions you cannot pool or solicit. We will all put together. That is not what you can do. You cannot ask other people to current it is the boss's birthday let's get them something. That is not what you can do.

 The special and infrequent occasions. This would be marriage, birth of a child, illness, death of a family member. Those are all special and infrequent occasions. It includes occasion that's terminate a subordinate-superior relationship. If you are being promoted from this level to one step up but you are going to be a superior that is not terminate the sub or the et-superior relationship. You are not going to be go way out of bounds. I bought them a full trip to Tahiti. That wouldn't be appropriate unless that's what you give everybody.

 Here cash is acceptable. Sometimes we see folks whether it is illness they are going to give them some type of cash gift card or something of that nature. That would be okay. You can pull funds. We generally say it should be a lower level employee making the request. It should not be a supervisor. I haven't been feeling well so everybody should be sending me money. That would not be okay. It needs to be voluntary so the person decides how much to donate. They are not told to donate $20. They get to decide what they want to donate. That would be where this fits in.

 One thing we have seen a lot lately is crowd sourcing. Your gofundme. We don't recommend employees set up gofundmes or other employees. If they were in a car accident there may be a gofundme created by a family member. I would share it within their service group or team. It shouldn't be widely shared. It would be as VA employees are creating it. So it depends but when people pass away family members and things to help with funds. Those are coming up more.

 We have very specific items to always help people with the idea of gofundme.

 So a supervise or is going through difficult times. An employee hears about this and offers to loan the supervise $500. Thumbs up if you think they can. Thumbs down if you can't they can't.

 I am very glad to see thumbs down. Is it a lane loan a gift. There there should be similar terms with a bank. This is not a good idea. Usually what happens especially what happens if there is this loan and they don't pay it back that.

 May step outside of ethical issues it can impact the office. You just took money from your subordinate. Then you might have an outside financial conflict issue. Those are all things to be thinking through. We see the same thing when it is like a superrer -- you have an outside interest you need make sure they get paid to pay their rent. They need to be throughout through. We can't say ethically it is impermissible. We will tell you it is not recommended for to be doing loans among each other. A supervise or-subordinate you will run into all kinds of issues. Most don't outline their loans. This is not something we recommend. The tomorrow collects money and gives their supervise or a $100 gift card boss' days. Can the supervisor keep the card? Thumbs up or down? Correct. Everybody is saying thumbs down. The supervisor cannot keep the gift card.

 I'll use it and buy food for the team. No. That is keeping the gift card. So that doesn't count. You need to pay everyone pay back for the gift card so that would be the situation with this type of gift. Boss's day happens every year. It is not a situation where it is per permissible.

 We are getting close. A supervisor wishes to give all employees on the team gift cards. This is most likely going to be way. What we say this needs to be -- you must remain impartial. If you are going to be giving a gift it needs to go across the board. Everybody should be getting the gift. You cannot replace the award system. This cannot be awarding employees of their performance. This is the idea it is the holidays so I will give everybody a $10 gift card to the lunch place down the street where everybody eats lunch. That would be okay. Again, I say it should be the same across the board.

 There is no limitation on supervisors gifting to subordinates. You have to remain impartial.

 Employees spouse invites the subpoena I remember vice or and spouse to sit at their hosted table for a local gala where seats cost $250. Can the supervise or attend. Some say okay it is the spouse inviting them. If it is really the subordinate is doing this. We get this a lot or variations of this. You can't get around the indirect. It is direct or indirect. It came from their spouse. It didn't come from the employee. You have to show there is some outside long-standing relationship between the spouse and the supervise or's spouse to justify why they would be getting these expensive tickets. This is another one decline it or say I will pay my own way they be you will not have the issue of being in this spot.

 We will touch quick on government resources. Employees shall protect federal property. These are directive 6001 your committed limited use. You cannot use your government equipment for outside activity. Don't be using your E-mail or computer to do your outside business that is not permissible.

 We also say this shouldn't be for nonprofits or other activity. You should be using your personal equipment.

 Don't use your VA position for the personal gain or for the benefit of others or solicit other federal personnel while on duty. Don't bring in your kid's fundraiser. They are selling candy bars who wants to buy one. That is not supposed to be happening at the VA.

 The endorsement. Don't use your title to imply endorsement. If you speak you can mention your VA title. It just needs to be one of several biographical details. To me I would say Alison Richards I'm an attorney at the department of veterans affairs. I graduated from X and also do this. It is just one detail in there.

 This mention again fund-raising prohibited on federal government. You can fund raise in your personal capacity. Then there is no promotional solicitation. You can do in kind drives. Toy drives are permissible. In kind is separate than fund-raising and the idea of soliciting cash.

 Letters of recommendation. Only use your official title when you have personal knowledge of the ability or character of the individual with whom you dealt federal employment or recommending for federal employment. If it is outside your neighbor's son is graduating they want to get an IT job you shouldn't use your official letterhead for that.

 It needs to be people recommended for federal employment or that you dealt with in federal employment.

 That's it. I am available for questions. I'm always around later. I can put my E-mail in the chat box for folks to always ask questions or you can contact me on Teams. That's what we're here to do.

» Outstanding, thank you so much, Alison for taking time out of your day to present this training for us.

 Unless anybody has any specific questions for Alison, we have a Q&A pod open for you to place your questions in so everyone can see it.

 Okay, Alison. It looks like you did an outstanding job. No one has any questions with. that I want to thank everyone for your participation today and this month's community of practice on behalf of our executive director Dr. Lee and my supervisor, Denise Williams, we will see you all next month. We'll be doing E performance. Have a great rest of your day.