

**STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES**

**TO:** Manual Holders

**DATE:** March 1, 2002

**SUBJECT:** Staff Attendance at Conferences or Other Events Sponsored by Department of Human Services' Provider Agencies.

The purpose of this Information Memorandum is to inform Provider Agencies and Departmental Components of Department of Human Services guidelines regarding Department staff attendance at Provider Agency sponsored events.

DEFINITIONS

In addition to defined terms included in the Glossary of the Manual, the following terms, when capitalized, shall have meanings as stated:

Approval means written permission from the Departmental Component's Ethics Liaison Officer to attend and/or participate in an Event; to accept an honorarium or fee; and/or to accept Direct or Indirect Benefits in connection with attendance.

Department Head means the administrative or executive head of the State Official's agency or his or her designee. The Commissioner of Human Services has designated Departmental Component Ethics Liaison Officers to grant the approval defined above.

Direct Benefit means acceptance by a State Official from the sponsor of an Event or any other person of travel, meals, accommodation, waiver of conference or Event fee or any other costs associated with attending the Event for which no payment is made by the State but is not intended to mean nominal refreshments such as nonalcoholic beverages and snacks (bagels, doughnuts, pastries and cookies).

Event means a meeting, conference, seminar, speaking engagement, symposium, training course, ground-breaking, ribbon cutting, meal, open house, cocktail party, fundraiser, holiday party, social function, or similar event that takes place away from the State Official's work location, is sponsored or co-sponsored by a non-

government source and the invitation for which is extended to the State Official because of his/her official position.

Indirect Benefit means acceptance by a State Official from the Event sponsor or any other person of reimbursement for costs of travel, meals, accommodation, event fees, or any other costs associated with attending the Event for which no reimbursement is made by the State but is not intended to mean nominal refreshments such as nonalcoholic beverages and snacks (bagels, doughnuts, pastries and cookies).

Interested Party means 1. Any person, or employee, representative or agent thereof, who is or may reasonably be anticipated to be subject to the regulatory, licensing or supervisory authority of the State Official's agency; 2. Any supplier, or employee, representative or agent thereof; 3. Any organization that advocates or represents the positions of its members to the State Official's agency; and/or, 4. Any organization a majority of whose members are as described in paragraphs 1 through 3 above.

Person means any individual, association, organization, firm, partnership or corporation.

State Official means any State Officer or employee or special State Officer or employee as defined in the Conflicts of Interest Law, N.J.S.A. 52:13D-13(b) and (e).

#### GUIDELINES

Pursuant to N.J.A.C. 19:61-6, Department of Human Services staff may not accept free slots to an Event unless there is a specific stipulation in the Contract stating that a Departmental Component is entitled to an identified number of complimentary seats. If a Contract does not require a Provider Agency to provide complimentary seats for staff to attend an Event, the acceptance of such an offer would constitute the acceptance of a prohibited "Direct or Indirect" Benefit. N.J.A.C. 19:61-6.4 prohibits State employees from accepting a "Direct or Indirect Benefit" from a Contract Provider Agency, an individual representing that Contract Provider Agency, or any other Interested Party.

Departmental Components and Provider Agencies may negotiate complimentary arrangements through Contract and discretionary grant awards (in writing) to meet specific Departmental Component goals and objectives. When appropriate, subsequent Contracts or grant award notifications should stipulate (in writing) that the Contract or grant funding is conditioned upon the allocation of a given number of complimentary slots to the Department.

If complimentary arrangements are not incorporated into the Contract or grant award, the Department of Human Services Staff may attend the Event if the staff person or division pays the registration fee. Employees may not accept discounted rates that are offered exclusively to their State entity. Departmental Components may accept discounted rates only when the discount is offered equally to all State entities.

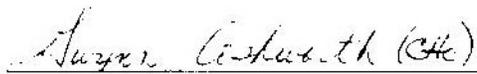
Department staff must secure prior approval from their Department Head (i.e. supervisor, manager, Director, Assistant Commissioner, Chief of Staff, Commissioner or designee) to attend any such Event. The prior written approval of the Departmental Component's Ethics Liaison Officer to attend an Event shall be requested by completing the attached Request for Approval for Attendance at Event form. (Attachment 1)

If a State Official is making a speech, participating in a panel discussion at the Event or is an accompanying resource person for the speaker and/or panel participant, the State Official and resource person may accept a Direct or Indirect Benefit (such as a meal) if this Benefit is identical to the Benefits provided to other speakers or panel participants. This applies to Events designed to provide training, dissemination of information, or the exchange of ideas. Approvals granted by the Ethics Liaison Officer under this exception will be forwarded to the Executive Commission on Ethical Standards for review.

Departmental Component Contract administrators should contact their Departmental Component Ethics Liaison Officer if they have any questions concerning this matter.

Attachment

Issued by:



Gwynn Ashworth, Manager  
Contract Policy and Management Unit

**Request For Approval For Attendance At An Event**  
(Instructions on Reverse Side)

Department: \_\_\_\_\_ Division: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Office Address: \_\_\_\_\_

Voice Telephone Number: \_\_\_\_\_ Fax Telephone Number: \_\_\_\_\_

Event\*: \_\_\_\_\_

\*Event means a meeting, conference, seminar, speaking engagement, symposium, training course, ground-breaking, ribbon-cutting, meal, open house, cocktail party, fundraiser, holiday party, social function, or similar event that takes place away from the State official's work location, is sponsored or co-sponsored by a non-government source and the invitation for which is extended to the State official because of his/her official position.

Event Sponsor: \_\_\_\_\_

Is the Sponsor an Interested Party\*? \_\_\_\_\_ Yes \_\_\_\_\_ No

\*Interested Party means: 1. Any person, or employee, representative or agent thereof, who is or may reasonably be anticipated to be subject to the regulatory, licensing or supervisory authority of the State Official's agent; 2. Any supplier, or employee, representative or agent thereof; 3. Any organization that advocates or represents the positions of its members to the State official's agency; or, 4. Any organization a majority of whose members are as described in paragraphs 1 through 3 above.

Location of the Event\*: \_\_\_\_\_

Date of the Event\*: \_\_\_\_\_

Is overnight accommodation required? \_\_\_\_\_ Yes \_\_\_\_\_ No

Estimated cost: \_\_\_\_\_

Is the Department or Division to pay cost? \_\_\_\_\_ Yes \_\_\_\_\_ No

Is the sponsor to pay cost? \_\_\_\_\_ Yes \_\_\_\_\_ No

Is the employee to pay cost? \_\_\_\_\_ Yes \_\_\_\_\_ No

Reason for attendance: \_\_\_\_\_

Will the sponsor offer an honorarium or fee to the employee? \_\_\_\_\_ Yes \_\_\_\_\_ No

Amount of honorarium? \$ \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Attendance Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

Acceptance of honorarium approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

Conditions: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Request For Approval For Attendance At An Event  
Instructions**

1. All sections must be completed and cost information must be provided whether the sponsor, the Department of Human Services or one of its divisions or the employee is paying for the Event.
2. If the Event is sponsored by one or more private entities or the event is co-sponsored by one or more private entities and a government entity an Event's form must be completed.
3. Approval must be given by the Ethics Liaison Officer prior to attendance at the Event.
4. If the Event is solely sponsored by a federal, state, county or municipal government entity, approval to attend is not required. A government entity includes Rutgers University and all State colleges.
5. Approval to attend an Event shall be requested in writing on this form in advance of the Event.

**Guidelines for Attending Events**

1. If the event is solely sponsored by a federal, state, county or municipal government entity, approval to attend is not required. A government entity includes Rutgers University and all State Colleges.
2. Nominal refreshments such as non-alcoholic beverages and snacks such as bagels, doughnuts, pastries, and cookies may be accepted by an employee, the employee need not pay personally or seek State payment for same.
3. If a State official is making a speech, participating in a panel discussion at the Event or is an accompanying resource person for the speaker and/or participant, the State official and resource person may accept a Direct or Indirect benefit (such as a meal), if this benefit is identical to the benefits provided to other speakers or panel participants. This applies to Events and to the benefits provided to other speakers or panel participants. This applies to Events designed to provide training, dissemination of information, or the exchange of ideas.\*

\*Note: Since this is an exception to the rule which says a State official shall not receive any Direct or Indirect Benefit from any source, approvals which are granted by the Ethics Liaison Officer under this exception, must be forwarded to the Ethics Commission for review.

4. Special Note: If you attend an Event where the refreshments turn out to be more than nominal, such as a full-course dinner or a buffet or where entertainment is provided, and you feel that it would be questionable to accept the benefit, you may do one of several things:
  - a. You may offer to pay for the value of the benefit offered at the Event itself. If you do so, please make sure that you pay by check or credit card only so that you have a record of having paid.
  - b. You may wait until the next day, especially if you are unsure of whether payment is necessary and call the sponsor of the Event, ascertain the cost, and send a check or pay by credit card after the Event.
  - c. We have been advised by the Ethics Commission that it is unwise to pay by cash. If you have no other choice, either get a receipt for the transaction or send a confirming letter the next day.