

FACT SHEET

SUBJECT: Holiday Office Parties and Other Holiday Issues

1. **PURPOSE.** To avoid common problems and legal issues when conducting office holiday parties.

2. **FACTS.** Holidays are a special time of year when many organizations traditionally have unofficial functions (parties) to celebrate the season. The following general guidelines should be kept in mind:

a. **Use of Government Time.**

(1) Preparations for office holiday parties may occur on government time if approved in advance by the supervisor. Supervisors may permit the use of duty time, within reasonable limits, for preparations by a committee or chairperson. Preparing for a holiday party, however, should not become a significant part of any employee's (military or civilian) duties.

(2) While an office holiday party is a well-established tradition for federal employees, the inclusion of contractor personnel raises legal and contractual issues. Simply put, taxpayer dollars cannot be used to "pay" for contractor time spent at an office holiday party. If the criteria below are met, contractor personnel may bring food to shore or make a fair-share contribution of money to cover the cost of refreshments, as these contributions are not considered to be gifts. Contractor employees who are in a leave status may participate in an office party that occurs during duty hours. Contractor employees not in a leave status may only participate in office holiday parties provided:

- (a) the office party takes place after duty hours, or
- (b) the office party takes place entirely during the daily lunch hour, or
- (c) the contractor decides to let its employees attend and forgoes payment for their time. Consult the contracting officer and ethics counselor before inviting contractor employees to a function during their duty hours.

(3) An office party should be considered an alternate duty site for federal employees if held during duty hours. Employees who choose not to participate in the office party may remain at their work stations and perform normal duties or take leave.

(4) Supervisors may not "encourage" attendance at holiday parties by giving attendees "59 minutes" off while not giving non-attendees this same benefit.

b. **Gift Exchanges.**

(1) If the office party includes a gift exchange in which gifts are chosen at random or traded, there are usually no ethical issues based on monetary limits on the gift because the purchaser does not know who will receive the gift. It is recommended, however, that a reasonable maximum value for individual gifts be established. A \$10.00 limit eliminates the vast majority of potential gift-giving issues.

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(2) Gift exchanges that include drawing a name ahead of time and giving a gift to a specific person create more complex issues due to restrictions on gifts from “prohibited sources” (such as contractors) and limitations on gifts that cross superior-subordinate lines. Gifts not exceeding \$20 may be accepted from contractor employees, so long as the federal employee has not accepted other gifts from the contractor that, when accumulated, exceed \$50 for the year. Because of the reoccurring nature of holiday parties, the JER limits the acceptance of gifts by superiors for subordinates to a value of \$10 or less on such occasions.

(3) Participation in any kind of gift exchange must be truly voluntary.

c. **Office Party Fundraising.**

(1) Often a government office will seek to defray the cost of a holiday party by engaging in some type of fundraising. The general rule is “no fundraising in the Federal workplace;” however, an exception exists for office events (such as holiday parties) if the money is to be raised only from among the members of the group for their own benefit and when approved by the head of the organization. This type of internal fundraising for informal funds currently does not have to be approved by the Garrison commander.

(2) If any part of the fundraising is conducted on Fort Knox outside of the immediate area of the activities operations, the activity must first obtain approval from the Garrison Commander by submitting a request through the Commercial Concerns Office of MWR (4-4320).

(3) Any internal fundraising efforts should be low key, use minimal government time and resources (at no cost to the government), and should not include any solicitations of outside sources. Units and directorates may NOT solicit local businesses, MWR, or AAFES for donations to their holiday parties. Activity members should pay for the expenses of their party – not the local community.

d. **Alcohol.** AR 600-85, Army Substance Abuse Program, provides that official/unofficial functions will not encourage or glamorize the consumption of alcohol. Alcoholic beverages may not be given as prizes; however, this prohibition does not apply to gift exchanges. Alcohol may not be consumed during an official event without approval of the first general officer in the chain of command. Such approval should be obtained for any holiday office party that occurs during duty hours if alcoholic beverages are intended to be served.

e. **Fundraising for Private Organizations.** During the holiday season, on-post fundraising requests in the form of collecting goods/presents for the less fortunate are often made. One prominent example is the Marine Corps’ “Toys for Tots” Campaign. The following rules apply to this type of fundraiser:

(1) The fundraising activity should not be conducted during the CFC or AER fundraising drives;

(2) Only in-kind donations (toys, clothing, canned goods, etc.) and no monetary donations may be solicited or accepted.

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(3) Collection boxes should be utilized rather than direct solicitation and collection – there can be no coercion in participating.

(4) The Garrison Commander must have already approved the fundraiser.

f. **Fundraising by Private Organizations.** All fundraisers by private organizations must have prior written approval by the Garrison Commander. At the discretion of the Garrison Commander, in consultation with the ethics advisor, private organizations may conduct nonprofit resales when sales are not in competition with AAFES or MWR. Requests to fundraise should be submitted through the Office of Commercial Concerns (4-4320).

g. **Seasonal Decorations.** Appropriated funds (GPC) may be used to purchase holiday decorations for display in common work areas and areas open to the public. They should not be purchased for individual office. Holiday decorations should be sensitive with respect to the display of religious symbols.

h. **Holiday Greetings.** Appropriated funds (GPC) may not be used to purchase holiday greeting cards. Likewise, official resources – including paper, printers, envelopes and postage – may not be used for holiday greeting cards. Electronic greeting cards with large file attachments or executable files should not be transmitted on official Army information systems. Moreover, subordinates may not be tasked to prepare or address personal greetings.

i. **Soliciting Businesses for Donations.** Units and directorates may NOT solicit local businesses, MWR, or AAFES for donations to their holiday parties. The activity members should pay for the expenses of their party, not the local community.

j. **Use of Government Vehicles.** Government vehicles may only be used to support official functions. An office luncheon and/or off-site holiday party is an unofficial activity. These events are not essential to the completion of an agency function, activity, or operation. Thus, government vehicles cannot be used to support these events.

3. Questions about this guidance may be addressed to the Military Law and Ethics Division at 624-7414.

3. POC is the Military Law and Ethics Division at 4-7414/4668.

Chief, Military Law and Ethics Division