

HR/LR Policy #1339

Code of Ethics – Meeting Planners’ Exemption

Date Issued: 10/27/1997
Date Revised: 12/01/2014
Rebrand Date*: 02/28/2018
Authority: Labor Relations

OVERVIEW

Objective

To clarify the provisions of M.S. 43A.38 regarding State meeting planners.

Policy Statement

State meeting planners may apply certain statutory variances to M.S. 43A.38 as provided in this policy.

Scope

This policy applies to employees of executive branch agencies as defined in M.S. 43A.02, subd. 22.

Definitions and Key Terms

N/A

Exclusions

N/A

Statutory References

M.S. 43A.38, Code of Ethics for Employees in the Executive Branch

GENERAL STANDARDS AND EXPECTATIONS

State meeting planners and other agency employees who occasionally plan meetings may apply certain statutory variances to the “gift-ban” portion of the state Code of Ethics in order to enable them to perform their jobs.

The Code of Ethics for employees of the executive branch is codified at M.S. 43A.38. The applicable sections regarding this issue are:

“Employees in the executive branch *in the course of or in relation to their official duties* shall not directly or indirectly receive or agree to receive any payment of expense,

compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except the state *for any activity related to the duties of the employee* unless otherwise provided by law.” (M.S. 43A, subd. 2, emphasis added.)

“The following actions by an employee in the executive branch shall be deemed a conflict of interest ...(1) use or attempted use of the employee’s official position to secure benefits, privileges, exemptions or advantages for the employee...which are different from those available to the general public....” (M.S. 43A, subd. 5.)

Despite this statutory language, statutory variances exist in certain circumstances.

Since a major requirement of planning a meeting involves testing food, accommodations and services, those whose jobs involve planning meetings are expected to fulfill these duties by adhering to the following requirements:

- 1) State employees whose main job function is to plan meetings for state agencies may accept food and lodging from a vendor **ONLY AFTER** an interagency agreement has been formalized and it is apparent the event will take place. Hospitality may be accepted only to the extent necessary to determine the quality and appropriateness of food, lodging and services required for the particular type of meeting. The applicable standard should be one of prudence and common sense.

Individual agency employees who are not meeting planners but who are assigned duties to plan meetings sponsored by their agency may accept food and lodging from a vendor **ONLY UPON** written verification in memo form from the agency head or appointing authority to the Commissioner of Minnesota Management & Budget (MMB) that such a meeting has, indeed, been scheduled.

- 2) Familiarization or “free inspection” trips will be allowed a state meeting planner or individual agency employee who plans meetings for their agency only after approval by the Commissioner of MMB. Approvals are requested by completing and submitting the “Meeting Planners’ Limited Exemption Form M.S. 43A.38” form (PE-00657-01) to the Commissioner of MMB (see form under “Forms and Instructions”). The information on the form will outline the nature of the trip, the projected use of the property or properties inspected, and the approximate dollar value of the visit.
- 3) Invitations to attend events such as a “Government Appreciation Luncheon” featuring free food, beverage and drawings for prizes are strictly prohibited and may not be accepted by either state meeting planners or agency employees involved in planning meetings.

The statute and these requirements are designed to ensure that the loyalty of state employees in conducting their work responsibilities is not unduly influenced by payment or gratuity from an outside source, and that state employees’ business judgment is not impaired by a “special” relationship with a particular enterprise.

RESPONSIBILITIES

Agencies are responsible for the request:

Ensuring that meeting planners and those whose job responsibilities require planning meetings for an agency are aware of this policy and that the “Meeting Planners’ Limited Exemption” form is completed and submitted to MMB when appropriate.

MMB is responsible for:

To review and make a determination on "Meeting Planners' Limited Exemption" forms submitted by agencies.

FORMS AND INSTRUCTIONS

**Meeting Planners' Limited Exemption
Form M.S. 43A.38**

State	Supervisor/
Agency: _____	Manager: _____
State	Employee
Employee: _____	Phone No.: (____) _____

Trip	Trip
Location: _____	Dates: _____
Location	Location
Contact: _____	Phone No.: (____) _____

Please describe the nature of the trip, what is included (i.e., room nights, food and beverage, travel expenses), the projected use of the properties inspected and the approximate dollar value of the trip:

_____	_____	_____
EMPLOYEE SIGNATURE	SUPERVISOR SIGNATURE	DATE

APPROVED _____

DENIED _____

REASON FOR DENIAL _____

COMMISSIONER OF MANAGEMENT & BUDGET

DATE

PE00657-01 (10/97)

REFERENCES

M.S. 43A.38, Code of Ethics for Employees in the Executive Branch

CONTACTS

Labor Relations/State Ethics Officer

**Date policy content moved to new document template featuring updated branding, logo, formatting, and corrections to typographical errors. No change to policy content.*