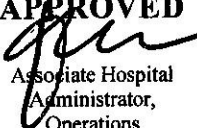


**GUAM MEMORIAL HOSPITAL AUTHORITY
POLICY AND PROCEDURE MANUAL**

APPROVED  Associate Hospital Administrator, Operations	RESPONSIBILITY Materials Management	ORIGINATION DATE 1/30/91	NUMBER 1.9	PAGE 1 of 2 ...
TITLE: SOLICITATION & ACCEPTANCE OF GIFTS				
LAST REVIEWED/REVISED: 7/92, 9/97, 6/09				
ENDORSED: EMC /2009, MEC /2009, BOT-P&F /2009, BOT /2009				

PURPOSE:

To outline the Government of Guam and Guam Memorial Hospital Authority policy on solicitation and acceptance of gifts according to Executive Circular 91-09.

POLICY:

1. It is unlawful for a Government of Guam employee or employees association to solicit gifts from the general public for any reason.
2. It is unlawful for an employee of the Government of Guam to accept gratuities or gifts according to P.L. 16-124, section 6980.6.
3. It shall be a breach of ethical standards for any payment, gratuity or offer of employment as an inducement for the award of a subcontract or order (kickback).
4. Any person who solicits or accepts any gratuities would not only be liable for civil damages (i.e., returning of gift, fine, community work, etc.), but may also be prosecuted under the Guam Criminal Code for bribery or attempting to use undue influence upon another (9 GCA Section 49.10-90).
5. It shall be the policy of Guam Memorial Hospital Authority not to allow solicitation of employees, patients, or other individuals on hospital property by other employees, associations, outside solicitors, etc.
6. Gifts of equipment or supplies to GMHA shall be governed by the administrative policy, number 6450-8, "Donation of Equipment and Supplies.
7. The Mini-Hatch Act (4 GCA, Section 5103) prohibits employees from:
 - a. Serving as an officer of a political party, a member of a committee of a political party, an officer member of a committee of a partisan political organization or being a nominee for such a position.
 - b. Organizing or reorganizing a political party, partisan political organization or committee.
 - c. Soliciting, collecting, handling, disbursing or accounting for assessments contributions, or other funds for a political party, partisan political organization or candidate.

- d. Organizing, selling tickets to, seeking support for or actively participating in a fund-raising activity of a political party, partisan political organization or candidate.
 - e. Taking an active part in managing the political campaign of a candidate.
 - f. Being a candidate.
 - g. Taking an active part in an organized solicitation of votes in support of or in opposition to a candidate, including distributing campaign literature, badges, or buttons.
 - h. Acting as recorder, watcher, challenger or similar officer at the polls on behalf of a political party, partisan political organization or candidate.
 - i. Driving voters to the polls on behalf of a political party, partisan political organization or candidate.
 - j. Endorsing or opposing a candidate in a political advertisement, a broadcast, a campaign literature, a letter or article in a newspaper (signed or unsigned) or similar material.
 - k. Serving as a delegate, alternate or proxy to political party convention.
 - l. Addressing a convention caucus, rally or similar gathering of a political party in support of or in opposition of a candidate or on a partisan political question.
 - m. Initiating or circulating a nomination petition for a candidate.
 - n. Discharging, promoting, demoting or changing the compensation of any other employee or promising or threatening to do so, because said other employee advocates or fails to advocate through contribution, voting or otherwise, candidate.
 - o. Using government travel allowances, government transportation, government supplies or government facilities for the benefit of any political party, partisan political organization or candidate.
8. Violation of the Min-Hatch Act is a misdemeanor, punishable with as much as a year imprisonment and a \$1,000.00 fine.