

INFORMATION PAPER

SUBJECT: Rules Governing Holiday Parties for the Fort Belvoir Garrison

1. **Purpose.** To provide guidance on DA personnel and contractor employees' participation in Holiday Parties sponsored by Fort Belvoir Garrison organizations.

2. **Facts.**

a. Time Off to Attend Holiday Parties. DA personnel may attend office parties if authorized by their supervisors. Contractor employees may attend the office party if authorized by their employers, not by a Government employee. The time contractor employees spend at the office holiday party may not be charged to the Government under their contract. We recommend that questions concerning contractor employees' time off be coordinated with your contracting officer.

b. Gifts. Contractor employees are prohibited sources for purposes of the gift rules. A federal employee is prohibited from receiving anything of value from a prohibited source, unless an exception applies. There are two concerns in this area:

(1) Invitations to Holiday Parties Hosted by Contractors. The "tab" for a Holiday party that is being paid for by a contractor would be considered a gift to government employees. Therefore, government employees cannot accept this gift unless an exception applies. If the costs of their individual portions of the "tab" are \$20 or less, then the government employee may attend, as long as he or she has not accepted gifts that would total \$50 from the contractor (a prohibited source) during the calendar year. To avoid appearance of impropriety (which we must always keep in mind), we recommend politely declining these types of invitations. If your office would like to include contractors in its Holiday party, then we suggest a potluck, where everyone attending the party would either bring a dish or be charged a proportionate share of the cost for the refreshments.

(2) Gift Exchange Activity. With regard to gift exchanges, contractors should never be solicited to give gifts or participate in a gift exchange with government employees. Pursuant to 5 C.F.R. § 2635.204, a government employee may accept a gift that is \$20 or less, as long as it is unsolicited and the employee has not previously accepted gifts that total \$50 from the prohibited source during the calendar year. We recommend not engaging in gift exchange activities with contractors.

3. **Conclusion.** Contractors have their own ethics rules and may have other restrictions on their employees, so be sure to consult the contractors' supervisors before including their employees. You should submit the plan for your Holiday Party to Ms. Pam Ellis, paralegal, Administrative Law Division, at pamela.v.ellis@conus.army.mil for legal review.