GIFT GIVING & RECEIVING POLICY

PURPOSE

ATC Management Inc. (‘ATC’ or the ‘Company’) recognizes that gift giving and receiving is a standard business custom. This policy provides guidelines to assist employees in making appropriate gift giving and receiving decisions.

SCOPE

This policy applies to all ATC employees.

DEFINITIONS

Nominal Value – $100 or less

Commercial Protocol – Common practices of a company or the industry the company is in.

RESPONSIBILITIES

ATC funds may be used to purchase gifts for other ATC employees under the following circumstances only:

– Gifts purchased for a company-sponsored event or program, including promotional items or giveaways that clearly reflect the ATC logo and have a legitimate business purpose.
– Floral arrangements or a donation in the name of ATC upon the death of an employee’s relative or domestic partner, with prior director-level approval.
– Gifts otherwise approved by an ATC Officer.

Examples of inappropriate gifts for other ATC employees using Company funds include, but are not limited to, the following:

– Baby / wedding shower gifts
– Illness / hospitalization gifts
– Farewell gifts
– Holiday gifts (e.g. administrative professional’s day, boss’s day, Christmas)
– Employee recognition outside of ATC’s Recognition Program (i.e. On-Target Award, Bull’s Eye Award)

All tangible gifts given to an ATC employee, regardless of dollar amount, must be reported to Payroll. Such gifts are required by Internal Revenue Code to be recorded as taxable income and will be reflected on the employee’s W-2.
Employees may give and/or receive business gifts to/from customers and suppliers under the following circumstances:

- Gifts of nominal value
- Reciprocal meal or entertainment exchanges that serve legitimate business interests or are infrequent, normal, and expected social courtesies
- Inexpensive items such as logo pens, cups, or other similar advertising novelties of nominal aggregate value
- Gifts that are based on commercial protocol

Employees may not use ATC funds to provide gifts of cash to customers and/or suppliers or gifts of any kind to government officials.

Other gift giving and receiving considerations when interacting with customers and suppliers include the following:

- Employees must ensure no conflict of interest exists – either in reality or appearance.
- Decisions involving the Company and its relationship with customers and suppliers must never be influenced by gift giving or receiving.
- Employees must not give, accept, or solicit a business gift that could be construed as a bribe or kickback, or which may give the impression that there is an attempt to influence objective judgment, or to reward favorable treatment in a business relationship.

REPORTING

It is the responsibility of all ATC employees to report any suspected violations of this policy, in accordance with ATC’s Open Door Policy.

EXCEPTIONS/VIOLATIONS

This policy is not applicable to vendor-sponsored social/entertainment events, as such events are not considered gifts, provided the vendor is present. However, there may be concerns with out-of-town events for which the vendor pays transportation and lodging; therefore, employees must contact a member of the Policy and Ethics Committee for clarification in these situations prior to accepting such invitation or gift and prior to participating in such event.

Exceptions to this policy require the approval of the Policy Owners listed above.

Employees who violate this policy are subject to disciplinary action, up to and including termination.