

## Gift Certificates and Ethics

With the holidays around the corner, gift certificates will be a popular purchase. The following questions from massage and bodywork professionals highlight the need to be ethically conscious when selling and honoring them.



**Q: Some massage therapists in my area have a six-month expiration date on gift certificates and others have one year. Who determines how long a gift certificate is valid?**

**A:** Before deciding about the length of time you will make your gift certificates valid, it is important that you find out what your state regulations are regarding the sale of gift certificates. Most states have regulations on sales practices of gift certificates, and some of them include parameters around expiration dates. In my state of Rhode Island, for example, it is unlawful to place an expiration date on a gift certificate. The law states: "No gift certificate or any agreement with respect to such gift certificate may contain language suggesting that an expiration date may apply to the gift certificate. Any person, firm or corporation that shall violate [these provisions] shall be punished by a fine of not more than \$200."

To find out about your state laws on gift certificates and expiration dates, contact the attorney general's office or the state department of business affairs. Most state laws are also available online and can be found with a Google™ search

Most states have regulations on sales practices of gift certificates, and some of them include parameters around expiration dates.

[www.google.com]. Laws that govern certificates typically apply only when money is exchanged. If the gift certificate is promotional or used for advertising or marketing, expiration dates are usually acceptable and are not governed by laws. Of course, it is always wise to check laws for promotional certificates, too, just to be legally safe.

If your state doesn't regulate expiration dates, you can determine your own time frame. Six or 12 months seems to be typical. If you state an expiration date on the certificate, you need to decide what you will do if the certificate is not redeemed before it expires. To avoid the awkwardness of refusing to honor an expired certificate, you can contact purchasers a month before the certificate expires to alert them that you will not honor it past the upcoming date. Then you have done all you can to prevent them from losing their investment. In all cases, keep clear records of all gift certificate sales, making sure you have the purchasers' contact information just in case you need to inform them of any changes that may influence redemption.

It is always wise to check to be certain that you are acting legally.



You are expected to honor gift certificates for the stated gift, regardless of how your rates change in the time between purchase and redemption.



**Q: If I raise my fee for services, how does that affect the gift certificates that I sold under my former rate?**

**A:** You are expected to honor gift certificates for the stated gift, regardless of how your rates change in the time between

purchase and redemption. If you are planning to raise your rates in the near future, and you sell gift certificates before that time, you could use a different type of certificate that is redeemed for an amount instead of for a treatment. For example, you could state on the certifi-

cate, "This certificate may be redeemed for \$50 to be used at North Smithfield Center for Therapeutic Massage." This method would also be more appropriate if you offer services that cost different fees or if you sell retail goods in your office. If you are agreeable to having gift

certificate funds used for retail items, this gives the recipient more options on how to use his or her gift.

**Q: A client bought a gift certificate for her friend, who was not thrilled to receive it because she is uncomfortable with the idea of being touched by a stranger. My client asked me to call her friend to try to talk her in to trying massage because she thinks her friend really needs it. Is it appropriate for me to do that?**

**A:** I am not a proponent of “selling” massage to someone who is reluctant to receive it, whatever the reason. While I do think it’s appropriate and necessary to educate people about the benefits and indications for massage, I do not try to talk people into getting one. Many people become more resistant to coercion, and it actually can make them more uncomfortable and less likely to get a massage.

What I would do in this case is offer to mail the gift certificate recipient a flyer that lists the benefits of massage along with a clear description of “what to expect when you get a massage.” Include a note saying that you would be happy to answer any questions that she may have about receiving a therapeutic massage.

To the client who purchased the gift certificate, I would discuss my perspective that coercing people into getting a massage is an unfavorable approach. I would validate her for her recognizing the potential ways her friend could benefit from massage, yet I would dissuade her from continuing to push the issue. I also would offer the client the option to use the certificate for herself if the recipient decides not to redeem it.

This is a good case for having a “what to expect” handout to give to potential clients. This type of handout is an opportune way to present your policy on cancellations and no-shows, request pre-massage showering, explain about options to remove or retain clothing, explain about privacy and professionalism, etc.

**Q: If a client with a gift certificate doesn’t show up for her appointment, or cancels without notice, is it ethical to deem the certificate used as payment for the missed appointment?**

**A:** Yes! A client may accept this more easily if you have a written or posted policy (or both) that states you charge for missed appointments and/or late cancellations. This issue supports the need for posting cancellation policies on your gift certificates and/or your business cards. When you inform clients about what to expect in writing, you may find it less stressful

and less awkward to set limits and enforce your policies.

## Closing Thoughts

We can never rest on our laurels when it comes to ethics. Every aspect of our work involves ethical considerations, as is evidenced by the questions about gift certificates. Thank you to those of you who presented me with your questions and concerns; it gives all of us an opportunity to learn new things and be reminded of important things we may have forgotten.

Starting with the Spring 2006 issue of *MTJ*, I will be answering your questions directly in this column. If you have an ethical problem or concern, e-mail me at [dipol@aol.com](mailto:dipol@aol.com). I may answer your question in an upcoming issue! 📧



Dianne Polseno, former chair of the National Ethics Subcommittee, is a practicing massage therapist, practical nurse, academic director and teacher at the Bancroft

School of Massage Therapy. She is the author and publisher of *Comprehensive Review Manual For Massage Therapists*. She can be reached at: 1 Raymond St., North Smithfield, RI 02896-8215, or at [dipol@aol.com](mailto:dipol@aol.com). Visit her web site [www.diannepolseno.freesevers.com](http://www.diannepolseno.freesevers.com) to submit a question.