Ethics in Public Service
RCW 42.52

New employee orientation
Overview of the law

RCW 42.52.020 - Activities Incompatible with Public Service

No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

What is an Incompatible Activity?

Answer: Any activity that you perform with anyone you regulate or contract with in your official capacity. This activity includes any outside employment, a volunteer activity, ownership of a private business or any private activity, relationship, business, etc. that would impair/conflict with your ability to make decisions on behalf of the state.

An interest need not be financial to create a conflict of interest. According to the law, even a chance or thought of a conflict of interest is enough for a violation—no tangible outcome is needed.

If there could be a perceived violation, you need to step out of the situation totally. Talk to your supervisor and have yourself removed from any decision making authority or influence in that case.

Some conflicts of interest are clearly defined in the state’s ethics law. These are:

- Owing a private business, then hiring someone you supervise, regulate in another way or contract with to work for you in your private business.

- Accepting a payment, a gratuity, or a reward from someone else who has an interest in a contract, sale, lease, purchase or grant under your authority or supervision.

- Acting in a state matter or transaction involving a business or organization in which you own an interest, or an entity in which you serve as an officer, agent, employee, or member.
• Assisting other persons, or sharing in compensation, in transactions involving the state when you had responsibility for these transactions as a state officer.

How do you deal with a conflict?

Most conflict of interest issues can be resolved easily and without resort to more drastic measures such as removal from position or resignation. The resolution of conflicts depends on disclosure and removing yourself from the conflict. You can:

• Abstain. Don’t participate in the activity.
• Disclose. Tell your supervisor about the potential conflict and let them decide whether to remove you from the activity.
• Review written procedures. Determine if your agency has a policy regarding how to handle conflicts of interest and follow that policy.
• Obtain screening memo. Have your work center write a memorandum outlining the conflicts and telling everyone that you are to be screened from specific information or decision-making regarding that particular transaction.

To avoid a conflict, you cannot merely delegate the activity to a subordinate.

RCW 42.52.030 - Financial Interests in Transactions

The Law

(1) No state officer or state employee, except as provided in subsection (2) of this section, may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant.

(2) No state officer or state employee may participate in a transaction involving the state in his or her official capacity with a person of which the officer or employee is an officer, agent, employee, or member, or in which the officer or employee owns a beneficial interest.

This law prohibits state employees from participating in a state transaction if they have a financial or other interest in the transaction.

What is a financial interest in a transaction?
• When you have an ownership interest in a contract that is made by you, through you, or by an employee you supervise—for example your spouse is contracting with your state agency or you own a part of the business that is contracting with your agency; OR

• When you receive compensation from any other person beneficially interested in a contract made by you, through you, or by an employee you supervise.

If a decision you are about to make puts money into your pocket or those of friends, family or other persons including a business entity of which you are a partner, board member, managing officer, or employee, that constitutes private benefit and you cannot do it.

You are also prohibited from accepting—directly or indirectly—any compensation, gift, or reward from any person who gets a benefit in terms of a contract, sale, lease, purchase or grant.

What does “Participate” and “Transaction” mean?

"Participation" must be both personal and substantial. However, the term is broadly defined and includes, but is not limited to approval, disapproval, decision, recommendation, the rendering of advice, or investigation.

“Transaction” is also broadly defined and includes a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that you believe, or have reason to believe:

(i) Is, or will be, the subject of state action; or
(ii) Is one to which the state is or will be a party; or
(iii) Is one in which the state has a direct and substantial proprietary interest.

RCW 42.52.050 - Confidential Information

No state officer or state employee may accept employment or engage in any business or professional activity that the officer or employee might reasonably expect would require or induce him or her to make an unauthorized disclosure of confidential information acquired by the official or employee by reason of the official's or employee's official position.

No state officer or state employee may make a disclosure of confidential information
gained by reason of the officer's or employee's official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another, unless the disclosure has been authorized by statute or by the terms of a contract involving (a) the state officer's or state employee's agency and (b) the person or persons who have authority to waive the confidentiality of the information.

No state officer or state employee may disclose confidential information to any person not entitled or authorized to receive the information.

No state officer or state employee may intentionally conceal a record if the officer or employee knew the record was required to be released under chapter 42.56 RCW, was under a personal obligation to release the record, and failed to do so.

What does this mean?

No state employee may disclose confidential information gained through their job, or otherwise use confidential information for personal gain or benefit.

What is “confidential information”?

Information that is confidential is not releasable upon public demand such as:

- Personal information in employee, appointees or elected officials files that, if disclosed, would violate that person’s right to privacy.
- Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.
- All applications for public employment or contracting, including the names of the applicants, resumes, and other related materials.
- The residential addresses and residential telephone numbers of employees or volunteers of a state agency which are held in personnel records, employment or volunteer rosters, or mailing lists.

RCW 42.52.070 - Special Privileges

Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.
What does this mean? It means that a state employee may not use their position to give or get secure special privileges or exemptions for themselves, or their spouse, child, parent, or other person.

If you are a supervisor, this means you cannot use your supervisory authority to exempt a subordinate from the ethics law if what they are doing is against the law as it is written. For example, if a subordinate asks you if they can use state e-mail to give and receive client orders for their private business and you say yes, you just gave that person a special privilege or exemption from the Ethics Law. What you did was not fair and not legal.

RCW 42.52.080 - Employment after Public Service

The Law

No former state officer or state employee may, within a period of one year from the date of termination of state employment, accept employment or receive compensation from an employer if:

(a) The officer or employee, during the two years immediately preceding termination of state employment, was engaged in the negotiation or administration on behalf of the state or agency of one or more contracts with that employer and was in a position to make discretionary decisions affecting the outcome of such negotiation or the nature of such administration;

(b) Such a contract or contracts have a total value of more than ten thousand dollars; and

(c) The duties of the employment with the employer or the activities for which the compensation would be received include fulfilling or implementing, in whole or in part, the provisions of such a contract or contracts or include the supervision or control of actions taken to fulfill or implement, in whole or in part, the provisions of such a contract or contracts. This subsection shall not be construed to prohibit a state officer or state employee from accepting employment with a state employee organization.

No person who has served as a state officer or state employee may, within a period of two years following the termination of state employment, have a direct or indirect beneficial interest in a contract or grant that was expressly authorized or funded by specific legislative or executive action in which the former state officer or state employee participated.
No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the officer or employee knows or has reason to believe that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the officer or employee or as compensation or reward for the performance or nonperformance of a duty by the officer or employee during the course of state employment.

No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the circumstances would lead a reasonable person to believe the offer has been made, or compensation given, for the purpose of influencing the performance or nonperformance of duties by the officer or employee during the course of state employment.

(5) No former state officer or state employee may at any time subsequent to his or her state employment assist another person, whether or not for compensation, in any transaction involving the state in which the former state officer or state employee at any time participated during state employment. This subsection shall not be construed to prohibit any employee or officer of a state employee organization from rendering assistance to state officers or state employees in the course of employee organization business.

What does this mean?

Post-State employment restrictions are designed to ensure that a former state employee does not accrue advantage as a result of decisions or actions made while in public service. Post-state employment restrictions USUALLY fall into one of two categories:

- a contract restriction
- continuing restrictions

Contract Restriction: Contract restriction applies only to those state employees who were involved in the negotiation or administration of agency contracts. The restriction under RCW 42.52.080(1) prohibits a former state officer or employee from accepting employment or receiving compensation from an employer for one year if:

The employee was in negotiation or administration of contracts or had any discretionary authority to make decisions with regards to the post-state employer’s contract when he/she was a state employee; and,

The contract or contracts have a total value of more than $10,000; and,

The job duties the former state employee has been hired to fulfill by the post-state employer are, in whole or in part, due to the contract created while a state employee or
include supervision or control of the state contract he/she negotiated or administered when with the state.

**Continuing Restrictions:** Some post-state restrictions have no time limit on them. This means that they are on-going restrictions that don’t end. **Ever.** The following activities are restricted continuously:

- Accepting an offer of post-state employment if the state employee knows or has reason to believe that the offer was intended to influence or reward him/her for the performance or nonperformance of an official duty during state employment.

- Accepting an offer of post-state employment if circumstances would lead a reasonable person to believe the offer was made to influence the state employee during state employment. This is the same as above, except it focuses on the perceptions of others—the “reasonable person” standard—not on the employee’s perceptions.

- Assisting in any transaction involving the state in which the former state employee, at any time while fulfilling former state duties, participated. Once you participated in a transaction or supervised the team that participated in a transaction, you cannot give advice or switch sides and assist the outside interest on that same transaction—even if you now work for that outside interest.

**RCW 42.52.140 and 150 – Gifts**

No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

**BUT WAIT...THERE’S MORE...**

No state officer or state employee may accept gifts with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources with a value in excess of fifty dollars.
Single source means any person, as defined in RCW 42.52.010, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under RCW 42.52.010.

The value of gifts given to an officer’s or employee’s family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

A state employee is restricted from accepting a gift if the gift is worth more than $50 and/or the gift giver is someone you regulate or contract with.

First, is everything I get for free considered a gift??

No – there are many things that the law does not consider to be “gifts” – for example:

- Items from family members where it is clear that the gift was not made as part of any effort to gain or maintain influence in the agency of which the recipient is an employee.
- Items related to the outside business of the recipient which are customary and not related to the recipient’s performance of official duties.
- Items exchanged among employees, or a social event hosted by a state employee for co-workers.
- Items a state employee is authorized by law to accept.
- Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt.
- Campaign contributions reported under 42.17 RCW.
- Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group.
- Awards, prizes, scholarships, or other items provided in recognition or academic/scientific achievement.
- Payments by an entity of reasonable expenses incurred in connection with a speech, presentation, appearance or trade mission made in an official capacity.
- Payments of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide nonprofit professional, educational, or trade association or charitable institution.

If I don’t regulate or contract with the gift giver – what can I accept?

- Unsolicited flowers, plants and floral arrangements.
• Unsolicited advertising or promotional items of nominal value.
• Unsolicited tokens or awards of appreciation—plaques, trophies, desk items.
• Unsolicited items for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the use or acquisition of the item by the agency.
• Informational material, publications, or subscriptions related to official duties.
• Food and beverages at hosted receptions where attendance is related to official duties.
• Admission to and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic charitable, governmental or community organization.
• Unsolicited gifts from dignitaries in another state or a foreign country intended to be personal in nature.
• Food and beverages on infrequent occasions in the ordinary course of state business.

**How do I know if I do regulate or contract with the gift giver?** If your duties include regulating people or organizations or members of an industry and/or you contract with the entity or individual wanting to give you the gift, then the restrictions in RCW 42.52.150(4) apply to gifts from those folks. These restrictions apply to gifts from any potential future contractor or vendor as well. These restrictions are commonly referred to as “Section 4” Employee gift limitations because of the section of law they fall under.

**If you are in a “Section 4” relationship with the gift giver, the only gifts you can accept are:**
• Unsolicited advertising or promotional items of nominal value.
• Unsolicited tokens or awards of appreciation—plaques, trophies, desk items.
• Unsolicited items received for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the use or acquisition of the item by the agency.
• Informational material, publications, or subscriptions related to official duties.
• Food and beverages at hosted receptions where attendance is related to official duties.
• Admission to and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic charitable, governmental or community organization.

**Note:** “Section 4” employees cannot accept any food or drink—not even a doughnut—offered by a person you regulate or who wishes to do business with you, e.g., any current or potential future contractor or vendor, in the ordinary course of state business.
RCW 42.52.160 - Use of State resources

No state officer or state employee may employ or use any person, money, or property under the officer’s or employee’s official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

Agencies may adopt policies that are stricter than the law. Review and understand your agency’s use of resource policy to make sure you do not violate your internal policies.

The Executive Ethics Board has adopted guidelines for exceptions to the no personal use standard under RCW 42.52.160(1). A state officer or employee may make an occasional but limited personal use of state resources only if each of the following conditions are met:

- There is little or no cost to the state;
- Any use is brief;
- Any use occurs infrequently;
- The use does not interfere with the performance of any officer’s or employee’s official duties; and
- The use does not compromise the security or integrity of state property, information, or software.

What does “brief” and “infrequent” mean?

This means that occasional local telephone calls for medical and dental appointments, child or elder care arrangements, transportation coordination, etc., are acceptable. This means that occasional and brief personal e-mail messages and Internet use are acceptable. This does not mean state resources can be used for any purpose, other than those indicated above, during break periods.

Certain uses are PROHIBITED:

Certain uses of state resources are prohibited regardless of whether the use is no cost and does not interfere with the performance of official duties. Prohibited uses include:

- Any use for the purpose of conducting an outside business or private employment;
- Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including but not limited to: a private business, a non-profit organization, or a political party (unless provided for by law or authorized by an agency head or designee);
- Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2);

- Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW 42.17.190, subject to the exceptions in RCW 42.17.190(3);

- Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy; and

- Any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state.
Guidance regarding Use of State Resources

RCW 42.52.160 and WAC 292-110-010 restrict the use of state resources for personal use. The following three questions are offered to assist you in determining whether a particular use falls under the statutory restrictions.

First Question: Will my use of state resources accomplish a business purpose or a personal purpose?

- If your use of state resources will accomplish a business purpose, the ethics law’s restrictions on use of state resources do not apply. Other laws, agency policy, and your supervisor control business use of state resources.
- If your use of state resources will not accomplish a business purpose, that use is personal. Continue the analysis by asking yourself the next question.

Second Question: Will my personal use of state resources involve a strictly prohibited purpose?

- If your personal use will involve one of the prohibited purposes, don’t do it.
- If your personal use will not involve one of the prohibited purposes, continue the analysis by asking yourself the next question.

Third Question: Will my personal use of state resources satisfy all of the elements of the de minimis use standard?

- If your personal use will satisfy all of the elements of the de minimis use standard, you may make that personal use of state resources.
- If your personal use will violate one or more elements of the de minimis use standard, don’t do it.

General information

Question: What types of state resources are covered under the ethics law?

Answer: The guidelines on use of state resources apply to all resources under an employee’s control including, but not limited to, facilities of an agency, state employees, computers, equipment, vehicles, and consumable resources. State resources also includes state information, e.g., databases, employee lists. (See RCW 42.52.160(1) and RCW 42.52.180(1))

Question: What exactly is a “private benefit or gain”? 


**Answer:** A private benefit or gain can range from avoiding a cost or expense by the use of resources to support your outside business or paying a discounted government rate for a personal phone call. There are some uses that do not appear to have a cost but may result in private benefit or gain. For example, it may not cost a significant amount of money to use a state computer to access the Internet. Nevertheless, by making a personal use of a resource available to you only because you are a state employee, you are receiving a private benefit or gain.

**Question:** What is a *de minimis* use?

**Answer:** A de minimis use is an infrequent or occasional use that results in little or no actual cost to the state. An occasional brief local phone call to make a medical or dental appointment is an allowable de minimis use of state resources. The cost of a brief phone call is negligible and is not likely to interfere with your job. The following examples address “de minimis” use: (See WAC 292-100-010(3))

**Example A:** An employee makes a telephone call or sends an e-mail message to his/her children to make sure that they have arrived home safely from school. This is not an ethical violation as long as the call or e-mail is brief in duration, there is little or no cost to the state, i.e., your SCAN code is not used, and sending a brief message does not interfere with the performance of official duties.

**Example B:** An employee uses his/her agency computer to send electronic mail to another employee wishing them a happy birthday. This is not an ethical violation. The personal message is brief and does not interfere with the performance of official duties.

**Example C:** Every spring a group of employees meets during lunch to organize an agency softball team. The meeting is held in a conference room that is not needed for agency business during the lunch hour. This is not an ethical violation. There is little or no cost to the state, the meeting does not interfere with the performance of official duties, and off site recreational activities such as softball teams can improve organizational effectiveness.

**Question:** What does “promoting organizational effectiveness” really mean?

**Answer:** State agencies may allow employees to participate in activities that are not official state duties but promote organizational effectiveness by supporting a collegial work environment. Often these activities involve an accumulated use of state time or resources that is more than de minimis. So long as the employees who participate in the activity limit their use of state resources, then these activities would not undermine public confidence in state government. (See WAC 292-100-010(3))
Example: An agency determines that an agency wide retirement lunch will enhance organizational effectiveness. The retirement lunch will last a half hour longer than the normal one hour lunch break, which totals 15 hours of paid time for the agency. An employee uses his or her office computer to compose a flyer about the lunch, send a few reminder e-mails, and collect for a retirement present. This is not an ethical violation. While the accumulated time use may not meet the limited de minimis use standard, the use supports organizational effectiveness and was approved by the agency. Since most of the activity takes place outside of normal working hours, it will not interfere with the performance of each employee’s official duties. In addition, the employee’s use of the office computer and printer will result in little or no cost to the state.

Question: Can state time be used for baby showers and promotion parties for employees (to increase moral and show support), and if so, how much?

Answer: See previous answer for details regarding ethical violations. Consult your agency’s policies for agency-specific restrictions.

Question: Can I use my state telephone (land line) or email to make appointments or take care of other personal matters?

Answer: Generally, yes. Although state telephones and computers are provided primarily for state business, they may be used for a small amount of personal communication to meet the demands of daily living. Employee use must be limited and occasional and must not cost the state money or interfere with work. For example, an employee may use a state telephone or computer to make a doctor’s appointment or a lunch date, check in with family members, or arrange for transportation. Note, however, that individual supervisors and departments may have more strict policies on telephone and email use for reasons related to specific work situations.

Question: Can I use the copier at work to make one copy of my birth certificate or some other item?

Answer: Yes, This would fall under the de minimis use standard.

Outside activities

Question: Are there any uses of state resources that are prohibited?

Answer: Yes. The allowance for de minimis use does not apply to the following uses: conducting an outside business; political or campaign activities; commercial uses like advertising or selling products; lobbying that is unrelated to official duties; solicitation on behalf
of other persons unless approved by the agency head; and illegal or inappropriate activities. The following examples address prohibited uses. (See WAC 292-100-010(6))

**Example A:** An employee operates an outside business. She makes an outside business call on her state telephone. The call is local. This is an ethical violation. The employee is conducting a private business on state time using state resources, which is prohibited under WAC 292-110-010(6).

**Example B:** An employee puts a state telephone number or work address on business cards or letterhead for his/her outside business. Several customers contact the employee at the office number to conduct the outside business. This is an ethical violation. Although the use of the telephone may result in a negligible cost to the state, conducting a private business is an illegal use of state resources.

**Example C:** After working hours, an employee uses the office computer and printer to prepare client billings for a private business using his/her own paper. This is an ethical violation. Although use of the office computer and printer may result in a negligible cost to the state, conducting a private business is an illegal use of state resources.

**Example D:** One night an employee takes an agency owned video player home to watch videos of his/her family vacation. This is an ethical violation. Although there is little or no cost to the state, an employee may not make private use of state equipment removed from state facilities or other official duty station.

**Example E:** An employee is assigned to do temporary work in another city away from his/her usual duty station. To perform official duties the employee takes an agency laptop computer. While away, the employee uses the computer to do tax work for a private client. This is an ethical violation. Although use of the laptop may result in a negligible cost to the state, conducting a private business is an inappropriate use of state resources.

**Question:** Can I leave an Avon or other like catalog in the break room?

**Answer:** No, this would be promoting or supporting an outside organization or business. Catalogs may be placed in a public foyer or other public area within the agency, but not in spaces only accessible by the agency’s employees.

**Question:** Can I leave menus for local restaurants in the break room?

**Answer:** Yes. While a restaurant is a for-profit business, if an agency merely has menus available for state employees or officers to use when ordering lunch it would be not be considered a violation.
**Question:** May an individual state officer or employee use state facilities, including state paid time, to participate in the creation or review of articles and other advertising materials that will be used to promote private commercial products and services?

**Answer:** No – The Ethics Act contains a strong presumption against an individual state officer or employee using his or her official position and public resources to promote private commercial products. When state officers or employees are seen to favor one product over another, it significantly undermines vendor confidence in the agency’s or the state’s contractor selection process. While a state officer and employee should avoid participating in the preparation of private promotional materials, they may respond to reference inquires and may review vendor statements about the business relationship to ensure that they meet agency policies and contracting rules.

**Question:** May a state officer or employee, acting within the course of official duties and under the authority of his or her agency, use state facilities, including state paid time, to promote private commercial products and services?

**Answer:** Yes under certain conditions – State officers and employees may use state resources for work that is reasonably related to the conduct of official duties. Where state agencies with appropriate authority have entered into contracts and other commercial relationships that provide for agency endorsement or promotion of a private product, such a use of state resources would not violate the Ethics in Public Service Act.

**Question:** If I use a state resource, can’t I just reimburse my agency for the use?

**Answer:** No. Reimbursing for a personal use may result in a personal benefit and may impose significant administrative burdens on the state. For example, the price of a SCAN call is less than you would pay using your local telephone company. Reimbursing also creates the misperception that personal use is ok as long as we pay for it. Personal use should be the exception not the rule. (See WAC 292-100-010(7))

**Question:** Can I send a message to fellow staff members about employee discounts provided by a business?

**Answer:** No. State resources may not be used to promote or support an outside organization or business.

**Question:** Can a local business set up a table in a break room to let employees know about discounts?

**Answer:** No. Only two businesses may provide information on their services in a state facility and they include the two insurance companies that provide services to state employees through payroll deduction. (see Banking/Employee Benefits section, below for more information)
**Question:** The Red Cross holds a safety fair in our building and as part of their display sells first aid kits. Does this violate the Ethics Law?

**Answer:** No. The Department of Labor and Industries requires state agencies to establish a safety committee. See WAC 296-800-13020. These committees prepare and monitor safety and security plans for their agencies as part of their disaster preparedness program. Many of these plans require employees to provide emergency supplies for themselves in case of a natural disaster or major incident to augment the agency-provided supplies. To assist employees in gathering the supplies they need, agencies have allowed the American Red Cross to sell first aid kits, emergency items and other materials to state employees during safety fairs and other agency-sponsored gatherings.

**E-mail and Internet Use**

**Question:** Can I send a personal e-mail message without violating the ethics law?

**Answer:** Yes. The general ethics standard is that any use of a state resource other than for official state business purposes needs to brief in duration and frequency to ensure there is little or no cost to the state and the use does not interfere with the performance of official duties. Extensive personal use of state provided e-mail is not permitted. (See WAC 292-100-010(4))

**Question:** Are my e-mail or voice messages private?

**Answer:** No, if you use state equipment do not expect a right to privacy for any of your e-mail or voicemail communications. E-mail and voicemail communications may be considered public records and could be subject to disclosure. Aside from disclosure, employees should consider that e-mail communications are subject to alteration and may be forwarded to unintended recipients. Avoid these potential problems by treating e-mail communications as another form of business correspondence. (See WAC 292-100-010(5))

**Question:** Are there any restrictions on e-mail communications?

**Answer:** Yes. E-mail messages cannot be for any of the following uses: conducting an outside business; political or campaign activities; commercial uses like advertising or selling products; solicitation on behalf of other persons unless approved by the agency head; and illegal or inappropriate activities, such as harassment. In addition, broadly distributing or chain-mailing an e-mail that is not related to official business is prohibited because it disrupts other state employees and obligates them to make a personal use of state resources. (See WAC 292-100-010(6))

**Question:** What are the guidelines on Internet use?
Answer: Just like the guidelines for e-mail discussed above, any personal use of state provided Internet access must be both brief and infrequent. Extensive personal use of state provided Internet access is not permitted. In addition, your agency may have more stringent policies regarding personal use of the Internet, so please review them before using the Internet. The following examples address uses of the Internet:

Example A: Several times a month an employee quickly uses the Internet to check his or her children’s school website to confirm if the school will end early that day. The transaction takes about five minutes. This is not an ethical violation. The use is brief and infrequent, there is little or no cost to the state, and the use does not interfere with the performance of official duties.

Example B: An employee routinely uses the Internet to manage her personal investment portfolio and communicate information to her broker. This is an ethical violation. Using state resources to monitor private stock investments or make stock trades, are private activities that can result in a private financial benefit or gain. Allowing even an occasional or limited use of state facilities to facilitate a private financial gain undermines public confidence in state government.

Example C: An employee spends thirty to forty minutes looking at various web sites related to a personal interest. This is an ethical violation. The use is not brief and can interfere with the performance of state duties.

Example D: An employee visits several humor and joke sites. While at a site, he/she downloads a joke file and e-mails it to several co-workers. This is an ethical violation. By e-mailing a file to co-workers the employee disrupts other state employees and obligates them to make a personal use of state resources. In addition, downloading files and distributing them to co-workers can introduce a computer virus, which can compromise state databases.

Question: Can a state employee or state officer access their LinkedIn, Facebook or Twitter accounts or pages from their state computer if the access is for the purpose of promoting their state agency or state web site and directly linked to their job?

Answer: If the use was for part of the employee’s or officer’s official duties, there is no ethical issue. If it was not for an official duty, it would fall under the de minimis use rule, unless it was prohibited under WAC 292-110-010(6).

Question: What do I do if I access the wrong Internet site?

Answer: Don’t panic! The best thing to do is to back out of the site and remember what it was that got you there and don’t go back. Everyone makes this kind of mistake. It is also advisable to contact your supervisor or information systems staff to notify them of your mistake.
**Question:** May a state agency maintain a direct internet link to private non-governmental web sites?

**Answer:** Yes - So long as the private organization does not post messages or advertisements on its web site or home page that advocate for, or against, a ballot initiative or political candidate. Providing a direct link to a web page or linked document that includes materials that advocate political positions, however, would violate RCW 42.52.180.

**Question:** May a state agency establish an internet link to a private web page which does not contain materials that advocate for, or against, a ballot initiative or political candidate even though the private web sites homepage may contain material that advocates for, or against, a ballot initiative or political candidate?

**Answer:** Yes - So long as any materials or advertising that advocates for, or against, a ballot initiative or political candidate was located on another web page or linked document within the organization’s web site. State agencies that provide links to private web sites should initially verify that the linked web page does not contain political advocacy and establish a reporting mechanism or agreement that will allow the agency to suspend the link if the contents are changed.

**Question:** Can I use my computer to listen to internet radio while at work?

**Answer:** This is up to your individual agency. Internet radio consumes some amount of computing capacity or “bandwidth”, which may, in some settings, interfere with official business. Ask your supervisor for the policy at your workplace.

**Use of State or Resources to Support Charities.**

**Question:** Can I use state resources to support charities?

**Answer:** The limited use of state resources to support charities may be allowed if an agency head or his/her designee, approves the activity as one that promotes organizational effectiveness. Approval may be in the form of a specific policy that establishes guidelines for limited use of state resources. (See WAC 292-100-010(3))

**Examples of limited use:**

- Sending an e-mail to notify employees of a blood drive.
- A bake sale to support an Adopt-A-Family Program. Here, the baking would be performed at home and after working hours. The baked goods are then displayed for purchase during break times and the lunch hour. When gifts are purchased for the family, the purchases are made after working hours.
Question: Is there anything employees shouldn't do while conducting charity work on state time?

Answer: Any use of state resources that results in an expenditure of funds should be avoided. Consider this scenario: a group of employees spend 6 working hours of staff time a week for over a four-week period to plan a charitable fund-raiser, and use the computer, fax, and copier to produce fund-raising materials. This is an expenditure of state funds that would not be considered de minimis or limited use of state resources. In addition, state resources may not be used for the benefit of any other person, whether or not operated for profit, unless the use is within the course of official duties. The following example addresses another area of concern. (See WAC 292-100-010(3))

Example: An employee is active in a local PTA organization that holds fund-raising events to send children to the nation’s capital. Although a parental payment of expenses for the trip is expected, the more raised through individual contributions, the less the parent must pay. The employee uses agency e-mail to solicit contributions to the fund-raiser from a broad distribution list of co-workers. The e-mail asks each recipient to pass along the e-mail to other state employees. This is an ethical violation. The employee is using state resources to promote an outside organization and a private interest. By sending the e-mail to other state employees and asking state employees to pass the solicitation along, the employee is asking other state employees to improperly use state resources in a manner that interferes with the performance of official duties.

Question: May state officers or employees use state resources to coordinate state-wide volunteer construction projects?

Answer: No. It is likely that coordinating state-wide volunteer construction projects would use state resources beyond those permitted by WAC 292-110-010 and has potential to interfere with the performance of official duties. Therefore, this project would violate WAC 292-110-010.

Question: May state officers or employees use state resources to coordinate an occasional fund-raising activity for charity?

Answer: Yes. An occasional charitable fund-raising event, such as a holiday bake sale, would likely not be a violation of WAC 292-110-010 because it involves de minimis use of state resources, would not interfere with official duties, and, if sanctioned by the agency head, would produce indirect public benefit.

Question: Can I sell items from my kid’s charitable organization such as Girl Scout cookies and/or school fundraisers that sell candy or magazines in the workplace?

Answer: You may be able to, if it falls within “organizational effectiveness.” That means that the agency head has approved the activity and acknowledges that it relates to an agency’s
mission and encompasses activities that enhance or augment the agency's ability to perform its mission.

**Question:** Does the use of state resources such as employee time, equipment, and supplies for the Combined Fund Drive violate RCW 42.52.160(1)?

**Answer:** No. RCW 42.52.160(1) does not apply to the conduct of state business. The Combined Fund Drive is part of the business of the state, so RCW 42.52.160(1) does not apply. However, the amount of state resources that may be devoted to the drive is a matter left to the discretion of each agency.

**Question:** What about the employees who are not officially assigned to conduct the Combined Fund Drive?

**Answer:** The use of state resources to support the Combined Fund Drive charities should be reasonable, involve little or no cost the agency, and should not disrupt the conduct of official business in state offices.

**Question:** Can an agency participate in a commercial activity that benefits the Combined Fund Drive?

**Answer:** State agencies should avoid direct involvement in commercial activity even if the proceeds may benefit the Combined Fund Drive. Examples of improper direct involvement include distributing commercial product sales brochures and order forms to agency employees, collecting product order forms in the workplace or on state paid time, and distributing products in the workplace or on state paid time.

**Question:** Can agency employees solicit donations for charitable events from outside businesses?

**Answer:** The state's ethics law contains a very strong presumption against solicitation by any state officer or state employee for any purpose, including charitable events. Solicitation by state employees can create the appearance that a donation might result in favorable treatment from the state, whereas a failure to donate might result in unfavorable treatment. A state officer or state employee whose official duties include regulation or the contracting for goods and services needs to be especially careful about solicitation. State officers and employees may not use their official state positions to solicit goods and services from private organizations and businesses. The following examples address solicitation on behalf of charitable organizations. (See RCW 42.52.070, RCW 42.52.140 and RCW 42.52.150(4))

**Example A:** The head of a state agency purchasing office sends a letter requesting gifts or donations for use at a CFD kick off luncheon to several vendors who provide goods and services to the agency. This is an ethical violation. While the purchasing supervisor will not personally benefit from the gifts, the CFD charities and the gift
recipients would benefit from them. In addition, it would be reasonably expected that vendors who respond favorably to the solicitation did so with the intent to influence the vote, action, or judgment of the purchasing supervisor. (See RCW 42.52.070 and RCW 42.52.140)

**Example B:** The head of a state agency sends a letter to local businesses, including several vendors who provide goods and services to the agency, requesting gifts or donations for a use that will benefit agency employees and a private charity. This is an ethical violation. While the agency head will not personally benefit from the gifts, the private charity would benefit from them. In addition, it would be reasonably expected that vendors who respond favorably to the solicitation did so with the intent to influence the vote, action, or judgment of the agency head. This expectation in the vendors would be true even if the agency head did not routinely participate in such decisions. (See RCW 42.52.070 and RCW 42.52.140)

**Example C:** On their lunch break a group of agency employees who work for an agency that regulates or administers benefits for private business, but who are not personally involved in regulating or administering benefits for their agency, solicit holiday gifts on behalf of a family sponsored by Adopt-a-Family. When soliciting the gifts they voluntarily inform the businesses that they are employed by their state agency but are soliciting on behalf of the sponsored family or Adopt-a-Family. This is an ethical violation. By stating that they are employed by an agency that regulates or administers benefits for the private businesses they are using their state positions to influence the private businesses and support the private charity. (See RCW 42.52.070)

**Example D:** On their lunch break or after work a group of agency employees who are involved in regulating or contracting on behalf of their agency solicit holiday gifts on behalf of a family sponsored by Adopt-a-Family. They do not solicit from agency vendors or other individuals with whom they conduct state business. When soliciting the gifts they tell the businesses that they are soliciting on behalf of the sponsored family or Adopt-a-Family. This is not an ethical violation. By soliciting on behalf of the private charity and not a state agency they are not using their state positions to influence the private businesses. In addition, the employees are not using state paid time or resources for the solicitation.

**Example E:** After work or on the weekend a group of state employees solicit holiday gifts on behalf of a family sponsored by Adopt-a-Family or their local private school. They solicit door to door in their neighborhood and do not solicit from agency vendors or other individuals with whom they conduct state business. When soliciting the gifts they indicate that they are soliciting on behalf of the private school, the sponsored family, or Adopt-a-Family. This is not an ethical violation. The employees are not using their state positions to influence the private businesses and are not using state resources to support the private charities.
Question: What other considerations should you take into account when conducting charitable solicitations?

Answer: Avoid direct personal solicitations of your co-workers and colleagues and opt for voluntary participation. Managers and supervisors should always avoid direct personal solicitations of employees who work under their supervision.

Question: If you can't solicit, then what can you do?

Answer: A state employee may purchase a gift certificate or other item for its fair market value and donate the item to an agency-sponsored charitable event.

Telecommuting

Question: Can I have our IT department work on my personal computer to fix a problem that occurs while I am working from home on my own personal computer to access our agency's network?

Answer: It would depend upon the type of problem that is occurring. If your computer malfunctions while you are conducting official business on your personal computer, your agency's IT department would be able to assist you in troubleshooting the problem. If the problem is with any agency-provided software or hardware, they would be able to replace or repair that portion, but if the problem is strictly with your own computer, you would have to repair that at your own expense.

Question: Can I bring my personal laptop it into work and have our IT department work on it if I use it for agency work and I experience a virus or other problem?

Answer: No, you would need to repair your personal laptop on your own regardless of how much you used it for agency work.

Question: If an agency substitutes a state officer's or employee's personal computer equipment with state equipment so that the officer or employee can work at home, may the officer or employee make the same private use of the replacement state equipment that he or she could make of his or her personal equipment?

Answer: Yes. RCW 42.52.160 and WAC 292-110-010 limit the private use of state computer equipment and prohibit private use of such equipment to access computer networks and other electronic data bases. However, if an agency, for a legitimate agency purpose, substitutes state equipment for an officer's or employee's personal equipment, the officer or employee may use the state equipment on the same basis that he or she could use his or her personal equipment.
**Question:** Can I use my own BlackBerry/cell phone for both personal and work related purposes?

**Answer:** Yes, you may use your personal BlackBerry/cell phone for state business, but you cannot use a state BlackBerry/cell phone for anything other than use that would qualify under the de minimis use standard. There may be adverse tax implications for using a state BlackBerry/cell phone for personal use. Also refer to your agency's policy regarding personal use.

**Job hunting**

**Question:** Can employees use state resources (time and computer) to fill out state applications, prepare resumes for state employment, and then apply for state jobs?

**Answer:** Yes, within the de minimis use standard. Under WAC 357-31-325, a supervisor must allow a state employee to take paid leave to take state exams and participate in state interviews, but can, depending on agency policies, allow the state employee the ability to complete these tasks without taking leave. However, an agency does not have to grant paid leave if the time requested by the state employee becomes excessive.

**Question:** Can employees use state resources (time and computer) to apply for, prepare resumes and other correspondence for jobs outside of the state system?

**Answer:** No, state employees and officers must use their own personal resources and time when seeking employment outside of the state system.

**Miscellaneous**

**Question:** Can I take home an empty box, such as the kind copier paper come in, for personal use?

**Answer:** Yes, if the box merely housed the item that the agency actually needed to use. If the box was purchased by the agency to archive records or for other storage, then the box is considered a state resources and you would not be able to take them home for personal use.

**Question:** Can state employees take home recycled paper that is going to be hauled away by a for fee vendor?

**Answer:** It would depend on the information contained on the paper being recycled. If the information on the paper was confidential, then state employees/officers would not be able to take the paper home – it would have to be hauled away by the vendor where it is shredded. If the recycled paper contained no confidential information, it would at the agency’s discretion as to whether it would allow agency employees to take the paper home.
**Question:** Can I put my state business card in a drawing for a free latte or other product/service?

**Answer:** No. Your state business card is a state resource and cannot be used for personal gain.

**Wellness**

**Question:** Is the de minimis use of staff time and resources to support recreational activities as part of an agency wellness program a violation?

**Answer:** No. WAC 292-110-010 provides for de minimis use of state resources if the use serves a public purpose or benefit. The de minimis usage includes copier supplies, limited e-mail communication time, and the use of departmental conference rooms during non-scheduled work hours for the activity planning process.

**Question:** Can state time be used for exercising as part of an agency wellness effort?

**Answer:** It depends on the program. If the agency is having everyone participate in an exercise at the same time, i.e., an afternoon walk for a wellness initiative, then the exercise would be an activity for organizational effectiveness and use of state time would be permitted. If each agency employee just wanted to exercise individually to get or stay in shape, they would have to accomplish that on their own time.

**Union activities**

**Question:** Can I use state facilities (email, phone, state time) to assist my union?

**Answer:** Although unions are private entities, the official purpose of collective bargaining laws is to enhance the relationship between public employers and their employees. Therefore, an agency may agree to allow individual employees to make certain limited use of state resources and state paid time for the purposes of the negotiation and administration of collective bargaining agreements.

**Question:** May a state employee use state vehicles or other state resources to attend meetings or conduct union business related to contract negotiation and administration?

**Answer:** The Board and state labor laws recognize a unique relationship between a union as the exclusive representative of state employees and state agencies. Therefore, an agreement between an exclusive representative and a state agency for the use of state paid time and resources for the exclusive purposes of contract negotiation and administration would not violate the Ethics in Public Service Act.
Question: Does the Ethics in Public Service Act prohibit certain uses of State facilities by a union?

Answer: State agencies may not authorize in a written collective bargaining agreement union use of State facilities that would directly conflict with the Ethics in Public Service Act.

Banking/Employee Benefits

Question: May a state employee use state provided Internet access to monitor or update account allocations in a state provided retirement benefit plan, or to update personal information regarding other state provided benefits?

Answer: Yes, an occasional and limited use of state resources, including state provided Internet access, to review and update state provided benefits would not violate the Ethics in Public Service Act.

Question: Can I use the Internet to access my personal bank account to find out my checking account balance?

Answer: Yes. This would fall under the de minimis use rule and your agency’s Internet use policies. All transactions done on a state computer may be open to public inspection, so there should be no expectation of privacy even when completing personal banking transactions on your state computer.

Question: Does an employee violate RCW 42.52.160(1) by permitting a business to use state facilities to provide employees with information about insurance products that may qualify for voluntary employee payroll deductions pursuant to RCW 41.04.020?

Answer: No. RCW 41.04.020 authorizes voluntary employee payroll deductions to pay for certain types of insurance. It does not violate RCW 42.52.160(1) for an employee to permit a business selling these insurance products to use state facilities to provide information about their products. Agencies have discretion about whether to permit this use of state facilities. However, if the employee making the decision favors one insurance business over another, there may be a violation of RCW 42.52.070 which prohibits granting special privileges.

Travel

Question: Can I use the state vehicle to drive to a restaurant at lunch time?

Answer: When you are working in the field, you may use a state vehicle to eat at a nearby eating establishment, as long as this use is consistent with management and department policy, and the distance driven is minimal. Use of state vehicles for personal errands is prohibited.
**Question:** Can a state officer or employee use frequent flyer miles earned from official state travel for personal travel?

**Answer:** Yes, with limitations – State agencies may allow state officers and employees to use frequent traveler benefits earned on official travel. While the Ethics Act does not prohibit the personal use of frequent flyer miles earned while conducting official state travel, receiving such rewards is a beneficial interest in a state transaction. Therefore, state officers or employees may not participate in the selection of a carrier when they receive frequent flyer miles for travel on that carrier.

**Question:** Can a state officer or employee use other types of points earned through travel incentive programs for personal use?

**Answer:** Yes, state employees/officer may use points earned, such as motel/hotel point rewards, rental car rewards, and any other travel benefit of a similar nature for personal use.

**Question:** Can a state officer or employee donate airline tickets to a state agency for official state travel by using personal frequent flyer miles?

**Answer:** Yes – The Ethics in Public Service Act does not prohibit a state officer or employee from donating personal property or benefits, such as frequent flyer miles, to a state agency.

**Question:** Can a state officer or employee purchase airline tickets for official state travel using personal frequent flyer miles and then seek reimbursement of that travel payment from the state?

**Answer:** This question is governed by state travel regulations, which provide that personal funds can only be used to purchase airline travel in emergencies.

**Question:** May I use the government rate offered by hotels in I am not traveling on business?

**Answer:** Yes, unless the hotel requires you to be on official business.
WAC 292-110-010, Use of state resources.

(1) Statement of principles - stewardship. The proper stewardship of state resources, including funds, facilities, tools, property, and employees and their time, is a responsibility that all state officers and employees share. Accordingly, state employees may not use state resources for personal benefit or gain or for the benefit or gain of other individuals or outside organizations. Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual state officer or state employee, or with the state officer or state employee who authorizes such use. State officers and employees should ensure that any personal use of state resources permitted by this section is the most efficient in terms of overall time and resources.

(2) The following are permitted uses:

(a) Use of state resources that is reasonably related to the conduct of official state duties, or which is otherwise allowed by statute.

(b) An agency head or designee may authorize a use of state resources that is related to an official state purpose, but not directly related to an individual employee's official duty.

(c) An agency may authorize a specific use that promotes organizational effectiveness or enhances the job-related skills of a state officer or state employee.

(d) A state officer or employee may make an occasional but limited personal use of state resources only if each of the following conditions are met:

(i) There is little or no cost to the state;

(ii) Any use is brief;

(iii) Any use occurs infrequently;

(iv) The use does not interfere with the performance of any officer's or employee's official duties; and

(v) The use does not compromise the security or integrity of state property, information, or software.

(3) Permitted use of computers, electronic mail, the internet, and other technologies. A state officer or employee may use equipment such as the telephone, the internet, and electronic mail provided such use conforms to ethical standards under subsection (2) of this section, and the use is not otherwise prohibited under subsection (5) of this section.
(4) **No expectation of privacy.** Technologies such as electronic mail, facsimile transmissions, the internet, and voice mail may create an electronic record. This is what separates these from other forms of communication such as a telephone conversation. The ethics rules do not distinguish between the various forms of communication. Electronic records are reproducible and therefore cannot be considered private. Such records may be subject to disclosure under the Public Records Act, or may be disclosed for audit or legitimate state operational or management purposes.

(5) **Prohibited uses.**

(a) Any use for the purpose of conducting an outside business, private employment, or other activities conducted for private financial gain;

(b) Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to, a private business, or a political party, or supporting, promoting the interests of, or soliciting for a nonprofit organization unless provided for by law or authorized by an agency head or designee;

(c) Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2);

(d) Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW 42.17.190, subject to the exceptions in RCW 42.17.190(3);

(e) Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy; and

(f) Any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state.

(6) **Reimbursement for personal use.** Establishing a system for reimbursement for private or personal use of state resources undermines the purpose of the Ethics in Public Service Act and imposes significant administrative burdens on state agencies. However, the board recognizes that in some limited situations, such as officers or employees working at remote locations, a system of reimbursement may be appropriate. Any system of reimbursement must be established by the agency in advance, and must result in little or no cost to the state, including administrative costs. To be permitted under this section, the board must approve any reimbursement system implemented by an agency.

(7) **Agency policies encouraged.** State agencies are encouraged to adopt policies applying these principles to their unique circumstances. Agency policies that are approved by the board qualify for "safe harbor" under WAC 292-120-035. Nothing in this section is intended to limit the ability
of an agency to adopt policies that are more restrictive. However, violation of a more restrictive agency policy by itself will not constitute a violation of RCW 42.52.160, even if it would constitute a violation of agency policy.

(8) **Frequently asked questions and examples.** The board maintains a list of frequently asked questions and examples that provide additional guidance regarding this section. State officers and employees are encouraged to review this document at the board’s web site www.ethics.wa.gov or to request a copy of the document through the board’s office.

Washington State Executive Ethics Board
P.O. Box 40149
Olympia, WA 98504-0149

Or by electronic mail at: ethics@atg.wa.gov
Ethics Tidbits

Commercial solicitation and the CFD

The activities of the Washington State Combined Fund Drive (CFD) cannot result in the direct commercial solicitation of state employees or a benefit or advantage that would violate the Ethics Act.

This means that while state agencies may allow the de minimis use of state resources for CFD activities, in doing so, they may not send out e-mails or post flyers that identify a particular business that is offering discounts to state employees and provide a link to that business’ website.

Lobbying

As budget cuts become a reality, you may be worried about losing your job or severe program cuts and may want to do everything you can to prevent that, including writing letters to your elected representatives, sending e-mails and/or testifying before the legislature.

Lobbying is defined in RCW 42.17.020 as:

“... attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.”

The Ethics in Public Service Act, RCW 43.52 does not prohibit you from lobbying as a private citizen. It does, however, prohibit you from using any state resources to lobby. WAC 292-110-010(6)(d) states:

(6) Prohibited uses. The state Constitution, state and federal laws, and the Ethics in Public Service Act strictly prohibit certain private activity and certain uses of state resources. Any use of state resources to support such activity clearly undermines public confidence in state government and reflects negatively on state employees generally. This rule explicitly prohibits at all times the following private uses of state resources.

...  
(d) Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW 42.17.190, subject to the exceptions in RCW 42.17.190(3);
This prohibition does not apply to activities that are part of the normal and regular conduct of the agency, such as responding to questions asked by legislators. The exception under RCW 42.17.190(3) states in pertinent part:

(3) Any agency, not otherwise expressly authorized by law, may expend public funds for lobbying, but such lobbying activity shall be limited to (a) providing information or communicating on matters pertaining to official agency business to any elected official or officer or employee of any agency or (b) advocating the official position or interests of the agency to any elected official or officer or employee of any agency.

Political Campaigning

The Ethics in Public Service Act states that no state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with the authority to direct, control, or influence the actions of the state officer or state employee using public resources for political campaigning is also a violation.

“Facilities” is broadly defined and includes agency office space and working hours. It also includes voice-mail and e-mail on state phones and computer systems. Personal clothing and personal vehicles, however, would not be considered an agency facility. Therefore, the Ethics Act would not absolutely prohibit an agency policy that permits wearing typical political buttons on an individual’s clothing or affixing a political bumper sticker to a personal vehicle. If employees interact with the public they are urged to exercise caution because wearing political buttons while interacting with the public or displaying political signs in public areas, could result in prohibited campaigning or violate their agency policy.

Prohibited activities include, but are not limited to:

- Using work hours to solicit signatures for ballot propositions, to raise funds for or against propositions or candidates, organize campaigns for propositions or candidates.
- Displaying political material in or on state vehicles.
- Displaying or distributing campaign material on state owned or operated premises.¹

Employees may campaign for or against a ballot proposition or candidate on their own personal time (this includes authorized leave time), away from the office.

“...and the winner is...”

¹This does not include property considered to be a “neutral open forum,” which is public property open to all expression that is protected under the First Amendment, i.e., streets, parks, and sidewalks or if the state intentionally opens a nontraditional forum for public discourse.
You, as a state officer or employee, cannot keep a door prize received at a conference paid for by your agency or enter into other “drawings” by placing your state business card into containers. These actions would violate RCW 42.52.020, Activities incompatible with public duties and RCW 42.52.160, Use of persons, money or property for private gain.

**Door prize:** You may not keep a door prize if your state agency paid for the conference and you are attending the conference, seminar, trade show, or similar event on state time. Should you win a door prize at the event, you must give it to the agency. The agency may either keep the prize or dispose of it in accordance with state rules and regulations. The agency may not allow you to keep the prize. If you pay for the conference or seminar and attend it on your own time (including using vacation time to attend), then you may retain any door prize won at the conference or seminar.

**Drawings:** You may not use your official state business card to enter drawings, especially when you attend the event or place of business in your personal capacity. This includes placing your state business card in a “fishbowl” at your local coffee house or restaurant to win a free drink or lunch. If you want to participate in these types of drawings, use personal calling cards, not your state business card.

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**Conducting an outside business in the work place – just say “No”**

RCW 42.52.160, Use of persons, money or property for private gain, states in pertinent part:

1. No state officer or state employee may employ or use any person, money, or property under the officer’s or employee’s official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

Before you feel guilty about sending the occasional personal e-mail or using the phone to check on your family, know that the ethics board has adopted rules providing exceptions to this section for occasional or de minimis use if the activity does not result in interference with the proper performance of official duties.

**What is “de minimis” use of state resources?** A de minimis (minimal) use is an infrequent or occasional use that results in little or no actual cost to the state. An occasional brief local phone call to make a medical appointment or check on a loved one is an example of allowable de minimis use of state resources. The cost of a brief local phone call is small and not likely to interfere with your job. The Executive Ethics Board has adopted guidelines for the exceptions

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2 Advisory Opinion 98:10 was revised and amended on July 13, 2007 eliminating the ability of the agency to allow the employee to keep the door prize. This amended opinion was not updated on the Ethics website at that time, but will be updated by the end of June 08.
to the "no personal use" rule.

Certain uses of state resources are prohibited *regardless* of whether there is little or no cost to the state, it’s brief/infrequent and the use does not interfere with the performance of official duties. *These uses are absolutely not allowed - not even if you are on break or it is after hours.* Any use for the purpose of conducting an outside business, whether or not for profit is *strictly prohibited*[^3] That means you can’t even bring catalogs that have items in them for sale and leave them in a break room.

[^3]: Many organizations allow certain fund-raising activities for internal activities or external charities and de minimis use of state resources may be authorized for these activities by your agency. Refer to your agency’s use of state resources or organizational effectiveness policy for clarification on these activities.
Guidance on Gifts

RCW 42.52.140 prohibits a state officer or state employee from receiving, accepting, taking, seeking, or soliciting, directly or indirectly, any gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

The term "gift" is defined under the statute as anything of economic value for which no consideration is given. Gifts do not include:

- Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

- Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

- Items exchanged among officials and employees or a social event hosted or sponsored by a state officer or state employee for coworkers;

- Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

- Items a state officer or state employee is authorized by law to accept;

- Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

- Campaign contributions reported under chapter 42.17 RCW;

- Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group; and

- Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.
**Question:** Is there a monetary limit to the amount of gifts a state employee or officer can receive?

**Answer:** Yes. In general, state employees/officers cannot accept gifts with an aggregate value in excess of $50 from a single source in a calendar year. The value of the gift given to an employee’s family or guest can be attributed to the employee for the purpose of determining whether the limit has been exceeded.

**Question:** Is there anything that would not be considered a gift?

**Answer:** Yes. The statute specifically names certain items that would not be considered gifts. These include:

- Unsolicited flowers, plants, and floral arrangements *if you are not considered a “Section 4 employee”*;

- Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

- Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

- Unsolicited items received by a state officer or state employee for their evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer’s or employee’s agency;

- Informational material, publications, or subscriptions related to the recipient's performance of official duties;

- Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

- Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

- Unsolicited gifts from dignitaries from another state or a foreign country that is intended to be personal in nature.

**Question:** Are there any other restrictions regarding when a state employee/officer may accept a gift?

**Answer:** Yes. If your duties include regulating or contract with certain entities, the statute places stricter restrictions on your ability to accept gifts from them. If your duties
include decisions about contracting or purchasing, these gift restrictions apply to gifts from a potential future contractor or vendor as well.

**Question:** Where are these restrictions mentioned in the statute?

**Answer:** These restrictions are identified under RCW 42.52.150(4). State employee/officers who fall under these restrictions are called “Section 4” employees because the restrictions are under section (or paragraph) 4 of the statute.

**Question:** If I fall under these stricter restrictions are there any specific items that I can accept?

**Answer:** Yes. In addition to the items that are excluded in the statute under the definition of a “gift,” you can accept the following items:

- Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

- Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

- Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;

- Informational material, publications, or subscriptions related to the recipient's performance of official duties;

- Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

- Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization

**Question:** If I fall under these stricter restrictions are there any specific items that I cannot accept?

**Answer:** Yes, the statute specifically identifies the following items as prohibited:

- Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;
• Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

• Flowers, plants, and floral arrangements.

**Food/beverages**

**Question:** What is the definition of a hosted reception?

**Answer:** A hosted reception is an event involving a diverse group of people, not diverse ethnically, but diverse in their vocations and business organizations, that would not be considered a meal, i.e., sit down breakfast, lunch or dinner or buffet breakfast, lunch or dinner. The group needs to include individuals that are not regulated by the state employee’s/officer’s agency or with whom they contract or may contract in the future.

**Example 1:**

The XYZ Corporation is regulated by a state agency. XYZ opened a new facility and invites a number of people to view the facility including state officers and employees who participate in regulatory matters, as well as their non-state customers, and officials from other governmental entities. At the conclusion of the tour, the XYZ Corporation provides food and beverages, including substantial hors d’oeuvres. There are some tables where guests may be seated but some people stand. **This event is a hosted reception.** It is a social event that involves a diverse group of people and does not involve a sit-down meal, even though tables and chairs are provided.

**Example 2**

The XYZ Corporation is negotiating a contract with a state agency. The negotiations are expected to last several days. The evening before negotiations are to begin, the XYZ Corporation invites the officers and employees who will participate in the negotiations to an event to meet the XYZ employees who will be participating in the negotiations. The XYZ Corporation serves food and beverages, including substantial hors d’oeuvres. Although there are some tables and chairs, most people stand. **This event is not a hosted reception.** Even though it is not a sit-down meal, it does not involve a diverse group of people. The only ones attending are state officers and employees who participate in contractual matters and members of XYZ Corporation involved in negotiating the contract.

**Question:** Does a state officer or state employee violate the gift limitations if he/she accepts unsolicited token refreshment items of nominal value which are offered as a gesture of common courtesy from a regulated business while performing official activities at their place of business?
**Answer:** No, if acceptance is limited to unsolicited token beverage items, such as water, coffee, tea or juice, that are generally made available by the business, free of charge, to the business's employees, customers and/or visitors. This would not include food items.

**Question:** Can a state employee/officer accept meals and refreshments offered by vendors when a vendor sponsors a presentation at an agency and provides breakfast or lunch to agency participants who are not "Section 4" employees?

**Answer:** Yes. RCW 42.52.150(5) allows state officers and state employees who are not "Section 4" employees to accept meals offered on an infrequent basis when attendance is related to the performance of official duties.

**Question:** Can a state employee/officer accept meals and refreshments offered by a vendor when the vendor sponsors a presentation and pays for a meal for "Section 4" state employees and their spouses?

**Answer:** No. "Section 4" employees may not accept meals, even when they are offered on an infrequent basis when attendance is related to official duties. Spouses of "Section 4" employees may also not accept the meal, unless there is an independent business relationship between the vendor and the spouse.

**Question:** Can a state employee/officer take part in (eat) a dinner hosted and paid for by a vendor at a national conference that is sponsored in conjunction with a governmental organization?

**Answer:** Yes, if the sponsored event is included as part of the official conference program, and all conference attendees have an equal opportunity to attend the event. This does not apply to separately held events that are only incidental to the official conference, i.e., hospitality rooms.

**Performance awards**

**Question:** Can classified staff and faculty members at community colleges and other institutions of higher education accept cash awards for outstanding service from a non-profit foundation organized for the support of the college or institution?

**Answer:** Yes. Under RCW 42.52.110(2) classified staff and faculty members at community colleges and other institutions of higher education may accept cash awards for outstanding service from a nonprofit foundation when the foundation is organized for the purpose of supporting the college or institution. These cash awards are not subject to the $50.00 gift limitation.
**Question:** Can a state officer or employee accept a cash prize in excess of $50, which is presented in connection with an award to the officer or employee for excellence in government?

**Answer:** No. A cash prize falls within the definition of gift, unless awarded in recognition for academic or scientific achievement, so the gift limit of $50 would apply.

**Travel expenses**

**Question:** Can a state officer or employee use frequent flyer miles earned from official state travel for personal travel?

**Answer:** Yes, with limitations – State agencies may allow state officers and employees to use frequent traveler benefits earned on official travel. While the Ethics Act does not prohibit the personal use of frequent flyer miles earned while conducting official state travel, receiving such rewards is a beneficial interest in a state transaction. Therefore, state officers or employees may not participate in the selection of a carrier when they receive frequent flyer miles for travel on that carrier.

**Question:** Can a state officer or employee donate airline tickets to a state agency for official state travel by using personal frequent flyer miles?

**Answer:** Yes – The Ethics in Public Service Act does not prohibit a state officer or employee from donating personal property or benefits, such as frequent flyer miles, to a state agency.

**Question:** Can a state officer or employee purchase airline tickets for official state travel using personal frequent flyer miles and then seek reimbursement of that travel payment from the state?

**Answer:** This question is governed by state travel regulations, which provide that personal funds can only be used to purchase airline travel in emergencies.

**Question:** Can a state officer or employee use other types of points earned through travel incentive programs for personal use?

**Answer:** Yes, state employees/officer may use points earned, such as motel/hotel point rewards, rental car rewards, and any other travel benefit of a similar nature for personal use.

**Discounts**

**Question:** Are discounts offered to state employees considered gifts?
Answer: No, discounts available to a state employee/officer as a member of an employee group, occupation, or similar broad-based group are excluded from the definition of “gift” in the statute.

Door prizes

Question: Can a state officer or employee keep a door prize received at a conference that they attended that was paid for by their agency?

Answer: A state employee/officer may not keep a door prize if the state agency paid for the conference and the employee/officer is attending the conference, seminar, trade show, or similar event on state time. Should a state employee/officer win a door prize at the event, they must give it to their agency. The agency may either keep the prize or dispose of it in accordance with state rules and regulations. The agency may not allow the state employee/officer to keep the prize. If the state employee/officer pays for the conference or seminar and attend it on their own time (including using vacation time to attend), then they may retain any door prize won at the conference or seminar.

Question: If I buy a raffle ticket at a conference and win the item being raffled off, is it considered a gift?

Answer: If you purchase a raffle ticket at a conference or other state event, assuming that the raffle itself was legal, and win the item being raffled, it would not be considered a gift and you may keep the item.

Textbooks

Question: May state higher education faculty sell complimentary textbooks, which were received under an exemption to the gift prohibitions?

Answer: No. While state officers and employees, including state higher education faculty, may accept gifts of informational material, publications, or subscriptions to review or use to perform their official duties, once received, state officers and employees may use or retain such items in a manner consistent with the purpose for which they were provided or dispose of them as provided under RCW 42.52.010(10)(g). More specifically, the Ethics Act prohibits higher education faculty from selling complimentary textbooks.

Miscellaneous

Question: What are we supposed to do with thank you gifts given to our office by someone who really appreciated our effort?
Answer: State agencies aren't regulated by the gift statute, so if the gift was truly given to the agency, the ethics law does not apply. However, if the gift was given to an individual, that person may or may not be able to keep it depending on the relationship to the gift giver.

Question: What do I do if I receive a gift I cannot keep?

Answer: You can do one of several things: 1. do not accept the gift initially if that is possible; 2. return the gift to the sender as long as you do so within 30 days from receipt; or 3. donate the gift to the charity.
FILING A COMPLAINT

What constitutes a formal complaint?

Enforcement of the Ethics Act is initiated by a complaint that can be filed by anyone. A complaint must comply with certain requirements.

It must:

- Be filed on the proper EEB complaint form;
- Be delivered or mailed to the EEB, PO Box 40149, Olympia, WA 98504 or emailed to ethics@atg.wa.gov;
- Clearly set forth facts that, if true, would constitute a violation of the Ethics Act; and,
- Identify a respondent (the person who is the subject of the complaint) with enough particularity that the complaint may be served on him or her.

In filling out the complaint form, it is best to complete the requested information with as much detail as possible. In other words, your complaint form should:

- If possible, cite to the specific statute or provision that is believed to have been violated;
- Clearly identify any known witness to the alleged violation or other persons with knowledge of the alleged violation;
- Include any documentation supporting the allegations, if available (listed and attached as “Exhibit 1,” “Exhibit 2,” and so on); and
- Identify the source of any statements made in the complaint that are not based on personal knowledge, when possible.

A complaint that is incomplete, or does not contain enough information to allege a violation of chapter 42.52 RCW, will not be accepted by Board staff for further action.

The Board will not consider allegations in a properly filed complaint that fall outside their jurisdiction. The Board or its staff may refer such allegations to another appropriate agency with jurisdiction.

While the EEB receives many “tips” for review, only a formal complaint initiates a formal action. A formal complaint is not a vague e-mail, a telephone call or a vague letter written that does not set out, with specificity, actions that violate the Ethics Act. Refer to RCW 42.52 to determine what violations allegedly occurred.
The EEB's Jurisdiction

All state officials and employees who work in the Executive branch of state government are under the EEB's jurisdiction. Certain provisions of the Act also apply to public officials and state employees after they leave state service.

Note: The EEB does not have jurisdiction over other government employees including county or city employees, local law enforcement personnel or K-12 teachers. Citizens need to contact county ethics boards or commissions or local school districts for more information regarding those employees.

The Ethics Act was enacted to prevent state employees or officials from using their public position or authority for personal gain, financial benefit or for the benefit of other person. The Act establishes *minimum* standards of conduct while performing public duties and seeks to remove doubts concerning violations of public trust and confidence, the impairment of independent judgment, and favoritism in the performance of public duties that can be created by outside or personal interests.

Relevant statutes and regulations are available on the EEB's website.

Proper Complaint Form

The complaint form can be obtained from our website, [www.ethics.wa.gov](http://www.ethics.wa.gov)

When a complaint has been filed with the Board, neither the complainant, if other than Board, nor any other person shall have special standing to participate or intervene in the investigation or consideration of the complaint by the Board. The complainant is not a party to an ethics case for any purpose; however, the Board staff will give notice to the complainant and the employing agency of any open board hearings on the matter.

Upon receiving a complaint, the Board staff reviews it for completeness. If a complaint is complete, it will be accepted for filing. If a complaint is incomplete, the complaint is returned to the complainant with a statement of the reasons the complaint was not accepted.

Once a complaint has been accepted, board staff will review the complaint, determine the extent of investigation required and determine whether the complaint may be dismissed pursuant to RCW 42.52.425 and WAC 292-100-045.

It is the intent of the Board that Board staff who are investigating a complaint work with the respondent's employing agency, unless in the judgment of the investigator it will impede the investigation. During the course of the investigation, the Board staff shall provide the employing agency with a copy of the complaint or a summary thereof. If a complainant has
requested confidentiality under chapter 42.56 RCW, the complainant's name and identifying information shall be deleted from the complaint.

The Board staff completes the preliminary review or investigation with a report that is presented to the Board for any further action. If after a preliminary review or investigation the Board or the Board staff determines that:

(a) Any alleged violation that may have occurred is not within the jurisdiction of the Board;
(b) The complaint is obviously unfounded or frivolous; or
(c) The complaint presents a violation of chapter 42.52 RCW, but any violation that may have occurred does not constitute a material violation because it was inadvertent and minor, or has been cured, and, after consideration of all of the circumstances, further proceedings would not serve the purposes of this chapter,

the Executive Director may dismiss the complaint by issuing an order of dismissal.

If the Executive Director dismisses the complaint, the preliminary review or investigation report and a written notice of the Executive Director's Order of Dismissal is provided to the complainant, respondent, and the Board and includes a statement of the complainant's right to appeal to the Board. (See RCW 42.52.425.)

If the Board dismisses the complaint, written notice is provided to the complainant, respondent, and the agency. (See RCW 42.52.425.)

**COMPLAINT PROCESS**

The filing of a complaint triggers the following process:

1. Board staff completes a preliminary investigation, which may include informal interviews, subpoenas for documents and testimony under oath;
2. The Executive Director may, upon completion of the preliminary investigation, dismiss the complaint without further action by the Board; or
3. The preliminary report may be presented to the Board for a Reasonable Cause Determination.

At any stage of this process, the Board staff and the respondent may attempt to negotiate the terms of an agreed order to settle the matter. Once approved, the stipulation and agreed order becomes public record.

**PENALTIES AND OTHER ACTIONS**

If the Board finds a violation of chapter 42.52 RCW or rules adopted under it, the Board may impose one or more of the following sanctions:
(1) Reprimand, either by letter of instruction or formal reprimand;

(2) Recommend to the appropriate authorities suspension, removal from the position, or prosecution or other appropriate remedy;

(3) A civil penalty of up to five thousand dollars per violation or three times the economic value of any thing sought or received in violation of chapter 42.52 RCW or rules adopted under it, whichever is greater.

(4) Payment of damages sustained by the state that were caused by the violation and were not recovered by the State Auditor;

(5) Costs, including reasonable investigative costs, that do not exceed the amount of any civil penalty;

(6) Recommend to the Governor and the appropriate agency that they request the Attorney General bring an action to cancel or rescind action taken by the violator, upon a Board finding that:
   (a) The violation has substantially influenced the state action; and
   (b) Interests of the state require cancellation or rescission.

STATUTE OF LIMITATIONS

Per RCW 42.52.540, the Board has jurisdiction over an alleged violation for five years from the date the violation occurred. After that time, the Board may not take any action.

Please note that the Board has jurisdiction over an employee for five years from the date the violation occurred, even if the employee leaves state service in the meantime.

FOR MORE INFORMATION

For more information regarding the Ethics Act as it pertains to filing a complaint, please contact Board staff Monday through Friday, 8:00 a.m. to 5:00 p.m.; 360-664-0871 or via email at ethics@atg.wa.gov.
WASHINGTON STATE EXECUTIVE ETHICS BOARD

ETHICS COMPLAINT FORM

Case No. ___________________________
(Assigned by Board)

1. Please name the person alleged to have violated one or more provisions of the state’s ethics law (Chapter 42.52 RCW), and provide the following information, if known. If you are alleging that more than one person may have violated the state’s ethics law, file a separate complaint form for each individual.

Name: ____________________________ Work Phone: ____________________________
(Include Area Code)

Position or Title:
_______________________________

Employing Agency:
_______________________________

Work Address:
_______________________________

City State Zip Code
_____________________________

2. Explain how this individual violated the state’s ethics law and list the sections of the Ethics Act they violated. Be as specific as possible as to dates, times, places, and actions. Attach additional sheets of paper if the space provided below is not sufficient.

Section(s) of Ethics Act violated:

_______________________________

_______________________________

_______________________________

How these sections were violated:

_______________________________

_______________________________

_______________________________
3. Disclosure. Pursuant to RCW 42.56.240 information revealing the identity of persons who file complaints with investigative agencies other than the public disclosure commission, may indicate a desire for disclosure or nondisclosure if the complainant believes that disclosure would endanger his or her life, physical safety or property. Please indicate your desire for disclosure or nondisclosure by checking the appropriate box and initialing.

☐ I indicate a desire for nondisclosure because:
    ☐ disclosure would endanger my life
    ☐ disclosure would endanger my physical safety
    ☐ disclosure would endanger my property

    Initials: __________

IF YOU DO NOT SELECT NONDISCLOSURE, YOUR NAME WILL BE DISCLOSED UPON REQUEST.

4. Attestation. I declare that the foregoing information is true and accurate to the best of my knowledge.

Your Signature: __________________________

Your Printed Name: __________________________

Address: __________________________

City __________________________ State __________________________ Zip Code __________________________

Daytime Phone: __________________________ (Include Area Code) Evening Phone: __________________________ (Include Area Code)

Date: __________________________
Please return this completed form to: Executive Ethics Board
PO Box 40149
Olympia, WA 98504-0149

If you have questions about this form, or would like to request the form in an alternate format for the visually impaired, contact the Executive Ethics Board at (360) 664-0871 or write us at the above address. We will take reasonable steps to accommodate your needs. Attach or make reference to any documents or other evidence that may support your allegations. Also provide the names and addresses (if known) of any witnesses or persons who may have knowledge of facts that support your allegations.