

Washington State Ethics Law **A Guide for Washington State Boards and Commissions**

Overview

The State's ethics law is founded on the principle that a public position, whether filled through election, appointment, or by hiring may not be used for personal gain or benefit. The standards established under the state's ethics law, chapter 42.52 RCW, are based on the idea that State Officers should not:

- Have financial or other interests, or engage in business or professional activities that conflict with the performance of their official duties.
- Use their state positions to secure special privileges or exceptions for themselves or any other person.
- Receive compensation from a source other than the State of Washington for the performance of their official board duties.
- Receive a gift if it could be reasonably expected to influence or reward the performance of their official duties.

Conflicts of Interest

While some conflicts are clear, others are more complex. Conflicts of interest involve the concepts of benefit and bias. When evaluating a potential conflict of interest ask yourself:

- Will your interests benefit as a result?
- Would a reasonable person conclude that a private or personal interest impairs your independent and impartial judgment in the exercise of your official duties?

Examples of conflicts:

- Having or acquiring a beneficial or financial interest in a contract, sale, lease, purchase or grant that is under your authority or supervision as a state officer.
- Accepting compensation, a gratuity or reward from someone else who has a beneficial interest in a contract, sale, lease purchase or grant under your authority or supervision.
- Acting in a state matter or transaction involving an entity or person in which you have a beneficial interest, or an entity in which you serve as an officer, agent, employee or member.
- Sharing in compensation or assisting others in transactions involving the state, when you had responsibility for these transactions as a state officer.

Use of State Resources

The state's ethics law protects and limits the use of state resources- including equipment, office and conference space, vehicles, supplies, postage, and personnel- for the conduct of official state business. State resources may never be used to support an outside business. The following standards govern specific state resources:

- *Phones.* Local telephone calls to conduct reasonable personal business (medical and dental appointments, child care arrangements, transportation, etc.) are permitted. Long distance calls must be placed using a personal calling card. Cell phones are limited to business use.
- *Email.* Occasional personal email messages are permitted provided they do not relate to a prohibited use, such as an outside business or political campaigns.
- *Internet.* Internet use, other than to transmit email messages related to official duties, is restricted to official duties, is restricted to official business purposes only. Agencies may adopt policies that allow de minimis use of the Internet approved by the Executive Ethics Board.

Receipt of Gifts, Gratuities, and Favors

There are two circumstances under which gifts, gratuities, and favors may not be excepted:

1. If the gift, gratuity, or favor could reasonably be expected to influence the performance or nonperformance of official duties
2. If the gift, gratuity, or favor could be considered as part of a reward for action or inaction.