

Ethics in Public Service

Effective with the passing of ESSB 5577 (2013), every state agency is required to have a designated ethics advisor to assist the agency's employees in understanding their obligations under the Ethics in Public Service Act.

Do you know who WSU's Ethics Advisor is?

This is a brief summary of the Ethics in Public Service Act (RCW 42.52) and some of its most common provisions. Please see the State of Washington website (www.ethics.wa.gov) for complete information on ethics rules, FAQ's, actual cases, enforcement and settlements. Other excellent sources: BPPM 10.21, 20:37; Executive Policy #4 and #27; RCW 42.52.160; WAC 292-110-010.

Core Principle: All state officers and employees have a duty to ensure the proper stewardship of state resources. Public office – whether elected or appointed – may not be used for personal gain or private advantage.

State resources include: email, phone, computer, internet, vehicle, equipment, facilities, data, people, time, etc.

Prohibited Uses

Employees are prohibited from using (ANY) state resources for:

1. Personal financial gain
2. Promotion of outside organizations
3. Promotion of campaigns
4. Lobbying efforts
5. Any use prohibited by law or WSU policy
6. Any private use of state property away from its official duty location

De Minimis Use

Personal use of state resources may be permitted* if the use is de minimis: brief, infrequent, little or no cost to state.

How much is de minimis? If your answer is yes to any of the following – do not use state resources for personal matters.

- ✓ Am I using this resource in order to avoid personal expense?
- ✓ Will my use of state resources result in added costs or any other disadvantage to the state?
- ✓ Will my use be an interruption to my work or to others?
- ✓ Will my use compromise the security or integrity of state operations, information, systems or software?

**there is no de minimis permitted for prohibited uses*

Acts Incompatible with Public Service (i.e. Conflicts of Interest) includes any activity that may conflict with the proper discharge of official duties. This may include outside employment, volunteer activities, ownership of a private business or any private activity or relationship that would impair/conflict with the ability for the employee to make decisions on behalf of the institution.

Conflicts may be actual or perceived:

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

Potential conflicts should be disclosed (with proper administrative authority) in order to determine if a conflict does exist, and, to develop a plan for managing the conflict. Research conflicts of interest are required to be disclosed (EP # 27) to the Conflict of Interest Committee.

Special Privileges rule says state employees may not use their position to secure special privileges, benefits or exemptions for themselves, or their spouse, child, parent, or other person.

Confidential Information rule says no state employee may disclose confidential information gained through their job, or, otherwise use the information for personal gain or benefit. In addition, no state employee may intentionally conceal a record if known to be required for release (Public Records Act or Litigation).

Compliance with ethics law is an individual responsibility of all state employees. Employees can violate the ethics law act unintentionally and be subject to fines and penalties.

Suspected actions or ethics issues, or questions? Contact your supervisor or Internal Audit.

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