

Ethics in Public Service Act

RCW 42.52



Does the Ethics Act apply to me?

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Government derives its powers from the people and ethics in government are the foundation on which the structure of government rests. State officials and employees of government hold a public trust that obligates them to honesty and integrity in fulfilling the responsibilities to which they are elected and appointed.

Paramount in that trust is the principle that public office, whether elected or appointed, may not be used for:

- personal gain; or
- private advantage

Are you a state employee?

A state employee is a person employed by an agency in any branch of state government, except for employees of the superior courts. (42.52.010(27)).

A state officer means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state and also includes holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. (42.52.010(28)).

Question: Do state officers and employees ever lose their identity or does their status as state officers and employees apply only during normal working hours or when they are performing their state duties at times not considered normal working hours?

Answer: No - state officers and employees never lose their identity as state officers or employees under the Ethics in Public Service Act, even when they are not working, except in very limited circumstances.

How does the Ethics Act affect me?

- You should not have financial or other interests, or engage in business or professional activities, that conflict with the performance of your official duties;
- You should not use your state positions to secure special privileges or exemptions for yourself any other person;
- You should not receive compensation from a source other than the State of Washington for the performance or non-performance of an official duty; and,
- You should not receive a gift if it could be reasonably expected to influence or reward the performance of your official duties.

These key ideas form the basis for ethical guidelines relating to conflicts of interest, use of state resources, political activities, confidential information, receipt of gifts, and post-state employment.

Scenarios

1. Sarah used to regulate grants that the Department of Health (DOH) gave to small non-profits in the community for health-related services. She left DOH and now works for the Red Cross. A co-worker at the Red Cross asks Sarah to give him advice on resubmitting a grant to DOH that was declined by Sarah and her committee a year earlier. He makes it clear there would be no compensation for her—that it would be purely volunteer time. Would this be a violation if Sarah assists him now for no compensation?
2. Martha is an instructor at a local community college. During the first week of finals, Martha stops in one evening at a local coffee shop and runs into one of her students, Bob. Bob runs out to his car and returns with a beautifully wrapped gift. Although Martha is not at work, can she accept the gift?