



## AGENCY POLICY #110

### Ethical Conduct and Outside Employment

<b>Policy #:</b>	<b>110</b>	<b>Effective Date:</b> 3/21/08; Rev. 10/04/2022
<b>Category:</b>	<b>Administration</b>	<b>See Also:</b> Ethics in Public Service RCW 42.52
<b>Purpose:</b>	<b>Establish standards and expectations for ethical employee conduct and outside employment</b>	<b>Agency Policy #214</b> <b>Preventing Conflicts of Interest in the Employment Process</b>
<b>Applies to:</b>	<b>All WSLCB employees</b>	<b>Outside Employment Request Form LIQ 227</b>

#### POLICY STATEMENT

- 1. Washington State Liquor and Cannabis Board (WSLCB) employees must perform duties and responsibilities in a manner that maintains standards of behavior that promote public trust, faith and confidence.**
- 2. WSLCB employees shall serve the best interests of all citizens by exercising fair, independent and impartial judgment; place the public's interest before any private interest or outside obligation; protect public resources and funds against misuse and abuse; and practice open and accountable government.**
- 3. WSLCB employees are expected to adhere to the following standards of behavior and conduct:**
  - Serve the public with respect, concern, courtesy and responsiveness, recognizing that service to the public is the primary mission of state government.
  - Promote an environment of public trust free from fraud, abuse of authority and misuse of public property.
  - Strengthen public confidence in the integrity of state government by demonstrating the highest standards of personal integrity, fairness, honesty and compliance with law, rules, regulations and WSLCB policies.
  - Interact with co-workers with respect, concern, courtesy and responsiveness.
  - Not using the employee's position for purposes of establishing or promoting personal or private financial relationships with stakeholders or customers.
  - Creating an environment free from intimidation, retaliation, hostility or unreasonable interference with an individual's work performance.

- Read, understand and follow all agency policies including but not limited to policies in the areas of the use of state resources, conflicts of interest, receiving gifts, and use of public and private information.

**4. An employee may hold outside employment provided such employment does not interfere with the performance of the employee's job duties and does not present any direct conflict of interest, such as employment with a licensee of the WSLCB or indirect conflict of interest, such as employment with any contractor of a licensee of the WSLCB, or violation of ethics laws.**

- All outside employment must be disclosed and approved in advance.
- Outside employment may not be conducted during the employee's scheduled hours unless the employee is on approved leave or personal holiday per Agency Policy #225 Leave Types.
- Leave without pay will not be used for an employee to conduct or work in an outside business or company.
- Upon initial hire, and thereafter, any employees engaging in outside employment must complete and submit an Outside Employment Request form to the employee's immediate supervisor and appointing authority for review and consideration for approval each calendar year.
- When an employee changes job classes or moves from one division to another within the WSLCB, and has prior approval for outside employment, they must submit a new Outside Employment Request form to ensure the outside employment does not present a conflict within the new division.
- Outside employment approvals are valid for one year and expire on December 31 of each year. Employees must submit an Outside Employment Request form for review and consideration for approval upon expiration.

**5. Certain actions by employees are specifically prohibited including but not limited to:**

- Employees may not use the resources or facilities of the WSLCB for personal gain. You may not use your time, state computer, including e-mail, to conduct personal business or store personal documents.
- Employees of the WSLCB shall not be permitted to work outside employment for a licensee of the WSLCB. This shall include working for a contractor who is providing work for a licensee of the WSLCB.
- Employees may not engage in any employment, professional activity or business outside the WSLCB which may interfere with the performance of the employee's job duties and presents any conflict of interest, directly or indirectly, or violation of ethics laws.

- Employees may not engage in any political activities using public resources or facilities, including employee's time at work. The Ethics in Public Service law sets out restrictions in this area.
- The employment and/or direct supervision of relatives and/or individuals who have a vested personal interest in hiring, firing, or promoting another employee is restricted.
- Employees may not personally or financially benefit from any contract, sale, lease, purchase or grant made under the employee's supervision or control. You may not create the appearance of using your WSLCB position for personal gain or advantage or for the benefit of others.
- Receive or share in compensation, received by another person, as a result of the employee:
  - Assisting the other person in a transaction involving the state; or
  - Participating in the transaction within the past two years.
- Accept employment or engage in any business or professional activity that requires the employee to disclose confidential information about a client.
- Access WSLCB information for personal gain while an employee.
- Disclose confidential information to any person not authorized to receive the information. Conceal or destroy records required to be released under Chapter 42.17A and/or 42.56 RCW (concerning campaign finances – lobbying – records).
- Use the employee's position to obtain special privileges or exemptions for the employee, employee's spouse, child, parents or other persons.
- Ask for, give or receive any compensation, gift, reward or gratuity in the performance of the employee's official duties, unless otherwise authorized by the agency. Because the WSLCB is a regulatory agency, employees are held to a higher standard in the area of receiving gifts. In general, it is best to politely decline any gifts. Exceptions are allowed for unsolicited, low cost promotional items, awards and food when associated with a function related to your job with the WSLCB.
- Receive anything of economic value under any contract or grant outside of the employee's official duties, unless the contract or grant:
  - Is presented in good faith and actually performed;
  - Is not within the course of the employee's official duties or under the employee's supervision;
  - Is not prohibited by laws or rules governing outside employment;
  - Is neither performed for nor compensated by any person from whom an employee would be prohibited from receiving a gift;
  - Is not one created or authorized by the employee in the performance of the employee's official duties; and
  - Would not require unauthorized disclosure of confidential information.

**6. The following actions by employees are permitted on a limited basis or as approved by agency management:**

- Training and Career development as approved by the agency and appointing authority.
- Membership or participation in professional associations that enhance job-related skills of the employee, provided the use of state resources has been authorized in writing by the Appointing Authority.
- State or agency-sponsored health, safety, wellness fairs, Combined Fund Drive activities, or diversity fairs.
- Management of or access to state-provided or sponsored benefits accounts, including health, deferred compensation, insurance, retirement and the employee assistance program.
- Employee recognition events including birthdays, retirements, or other similar events as approved by the agency head or designee.

**7. The WSLCB is accountable to its licensees, employees, and to the public for its decision-making and upholds its obligation to disclose public records according to the Washington State Public Records Act.**

By law, WSLCB must safeguard customer's confidential information that includes employment, financial, eligibility, and protected health and injury information collected, used, stored and disclosed by WSLCB.

## **RESPONSIBILITIES**

**Human Resources Director/WSLCB Ethics Advisor:**

- Oversee, review, and update this policy.
- Consult with Attorney General or Executive Ethics Board as necessary.
- Ensure all staff are trained in state ethics within 90 days of employment and every three years thereafter.
- Consult and advise the Appointing Authority as it relates to the decision regarding outside employment requests.
- Review and maintain a copy of Outside Employment Request in the employee's personnel file.

**Appointing Authority**

- Evaluate the Request for Off Duty Employment considering the facts available, and applicable law and policy.
- Consult with the HR Director.
- Make the final decision regarding outside employment requests.

**Managers/Supervisors:**

- Ensure that all employees read, understand, and comply with this policy and the WSLCB policies and state law which underlie it.
- Enroll employee into Ethics training, and ensure they attend training in compliance with this policy.

- Make a preliminary recommendation regarding outside employment, verifying the outside employment is not a current licensee or contractor of a licensee and considering any scheduling or work conflict.
- Forward recommendation and Outside Employment Request Form to Appointing Authority via chain of command.
- Monitor compliance to outside employment policy.

**Employees:**

- Read, understand, and comply with this policy and the WSLCB policies and state law which underlie it.
- Attend Ethics training within the first 90 days of employment and every three years thereafter.
- Provide information upon request to assist with outside employment approval determination.

**DEFINITIONS**

**Approved Leave:** Annual leave, compensatory time leave and personal holiday.

**Outside Employment:** Employment in which compensation is received other than from the employee's current agency position.

**Outside Obligation:** 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.

**Limited Basis:** Use that is short in duration, occurs infrequently, does not interfere with the performance of official duties, does not compromise the security or integrity of state property, systems or software, is not for the purpose of conducting an outside business, or promotes, supports, or solicits for an outside organization.

**RELEVANT LAWS AND OTHER RESOURCES**

Executive Order 93-02, Standards of Ethical Conduct for Executive Branch Employees

RCW Chapter 42.52 - Ethics in Public Service law

RCW Chapter 66 – Liquor and Cannabis Board – General Provisions

RCW 69.50.651 – Board Members and employees – Conflict of interest

Agency Policies: #130 Responding to Public Records Requests

#135 Protecting Private Information

#214 Preventing conflicts of Interest in the Employment Process

#401 Using State Information Technology Resources

**REVISION HISTORY**

Agency policy created in March 2008. Supersedes 1999 agency Code of Ethics.

Agency Policy revised in April 2014.

Agency Policy revised in September 2016.

Agency Policy revised in October 2022.

### **CONTACT**

For additional information about this policy, contact the Director in the Human Resources Division.

### **APPROVING AUTHORITY**

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Toni Hood, Deputy Director  
Liquor and Cannabis Board

Date



## OUTSIDE EMPLOYMENT REQUEST

**EMPLOYEE DIRECTIONS:** Every employee who is employed outside of the Washington State Liquor and Cannabis Board is required to advise the WSLCB of such employment.

If you are employed when you join the WSLCB, or if you gain employment subsequent to your appointment with the Board, complete this form and submit it to your direct supervisor.

I have read and understand Agency Policy 110 Ethical Conduct and Outside Employment and agree to abide by this policy should this outside employment be approved. The information contained in this request is true and correct to the best of my knowledge and I understand that I may not engage in outside employment until I receive written confirmation of agency approval from my Division Director/Appointing Authority.

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Employee Name

Division

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Outside Employment Job Title

Outside Employer

Is the outside employer a licensee?

Outside Job Duties:

Outside Start Date

New Request ☐ Renewal ☐ (list any changes from last year)

**Please explain the hours of the day, days of the week and total work hours per week that this outside employment anticipates:**

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Employee Signature

Date

***This form must be submitted for signature at each position within the employee's chain of command, before being sent to the Appointing Authority.***

**SUPERVISOR:**

**Is there an identifiable direct conflict of interest or indirect conflict of interest between the mission of the WSLCB and the outside employment?**

**Recommendation:**

☐ Approved

☐ Denied

**Comments**

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Supervisor

**Recommendation:**

☐ Approved

☐ Denied

**Comments**

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Manager (if applicable)

**Recommendation:**

☐ **Approved**

☐ **Denied**

**Comments**

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Deputy Division Director or Deputy Chief (if applicable)

**Action:**

☐ **Approved**

☐ **Denied**

**Comments**

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Appointing Authority

**Reviewed by:**

**Comments**

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Human Resource Director

When complete, form is filed in Personnel File in the WSLCB Human Resources Division

*All approvals expire on December 31 of each calendar year and employees must resubmit for approval if they wish to continue their Outside Employment.*