

## AGO POLICY

### II.31

## USE OF STATE RESOURCES

**Contact:** All Managers

**Cross References:** *RCW 42.52; WAC 292-110-010; Political Activities Policy; Electronic Mail Use Policy; Internet Services Use Policy; Mobile Device Policy; Software on AGO Computers Policy; Pro Bono Activities Policy*

**Approved:**

### I. POLICY STATEMENT:

#### A. Overview

State resources shall be used consistent with state law and, except as permitted by this policy, only in support of the Attorney General's Office goals, objectives and operation. Any use of state resources reasonably related to the conduct of official state duties does not violate *RCW 42.52.160* or AGO Policy. The personal use of state resources for private benefit or gain is prohibited by the Attorney General's Office, the Ethics in Public Service Act, *RCW 42.52* et. seq., and *WAC 292-110-010* (Use of State Resources Rule), with limited exceptions. This policy applies to the use of any state resources, including staff, office space, telephones, copiers, fax machines, computers, office supplies, vehicles and other Attorney General's Office equipment. The exceptions in this policy are intended to be narrowly construed and must be in compliance with *WAC 292-110-010* and the Ethics in Public Service Act. Attached is an *Advisory Opinion from the Executive Ethics Board addressing Use of State Resources*, giving examples of permissible and impermissible activities.

#### B. Permitted Personal Use

In accordance with *WAC 292-110-010*, AGO employees and volunteers may make occasional and limited personal use of state resources only if the following conditions apply:

- 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 the employee's or volunteer's official duties;
- The use does not compromise the security or integrity of state information or software;
- The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain.

AGO employees or volunteers may use AGO computers and other equipment to access the Internet provided the use conforms to [WAC 292-110-010](#) and this policy. Use of the Internet shall also not be for a prohibited purpose under the Internet Services Use Policy. **Employees or volunteers should have no expectation of privacy in the use of these resources and should understand that the AGO reserves the right to monitor, and does monitor, Internet usage in appropriate circumstances.**

Staff with questions regarding a particular use should contact their division chief.

#### **C. Permitted Use for Organizational Effectiveness**

In certain situations, the limited use of state resources will be allowed in an effort to provide organizational effectiveness within the AGO. This applies to all AGO staff. The agency head or designee may authorize limited use of agency staff time for activities supporting agency organizational effectiveness, provided the agency's policy allowing use of state resources is approved by the Executive Ethics Board.

State employees may make personal use of state resources to the extent that such use falls within "organizational effectiveness." This means that the agency head has approved the activity and acknowledges that it relates to the agency's mission, and encompasses activities that augment the agency's ability to perform that mission.

Chairs or Co-Chairs of AGO committees may request permission of the Chief Deputy, the Chief Financial Officer, the Attorney General or an authorized designee of these officers, to send an email to all AGO staff notifying them of diversity events and other events that are reasonably related to official state purposes sponsored by outside organizations, so long as the event is not a fundraiser and a contribution to an organization is not a requirement of attendance or participation in the event.

#### **D. Permitted Types of Charitable Solicitations**

The Attorney General's Office encourages AGO staff to participate in charitable endeavors and authorizes some limited use of state resources for that purpose. Such participation can contribute to diversity and inclusion, as well as the overall morale and organizational effectiveness of the AGO. However, the AGO also recognizes that there should be controls on the manner and frequency of charitable solicitations of AGO staff, as too many charitable solicitations can be disruptive to the normal work of the office and some staff may be sensitive to too many pressures to contribute.

Due to the impact on the workplace of numerous solicitations, the State initiated the Combined Fund Drive (CFD) a number of years ago. The CFD was designed in part to channel charitable solicitations into one effort to avoid numerous solicitations of state employees for charitable purposes by a number of worthy organizations throughout the year. However, there has been a tradition of charitable giving in the AGO that goes beyond the CFD. Some of these charitable events not only benefit the recipients of the charity, but also promote agency effectiveness by providing social and other opportunities for AGO staff. Accordingly, the AGO endorses the below listed types of events and authorizes limited use of state facilities or resources for them.



1. *Volunteer Work Parties.* With the approval of the division chief, or equivalent, divisions or other work groups may volunteer, or solicit volunteers, to provide labor or other services for a charitable purpose outside the regular work day. Examples could include restoring fish or wildlife habitat, cleaning areas adjacent to highways, assisting with a Habitat for Humanity project, or participating in a blood drive.
2. *Events or Activity for the Needy.* Divisions, other work groups, or groups of divisions sharing office locations may, with approval of the appropriate division chief or building manager, undertake events or activities to benefit the needy. These events can include food drives, "giving trees," bake sales, silent auctions, solicitations in conjunction with office social events, or lunches at which some modest donation of food or money is encouraged. In accordance with the guidance of the Executive Ethics Board, these must be conducted outside of office hours or at lunch or break times.
3. *Traditional Recurring Events Involving Large Segments of the Office.* There are a few events that, for historic or other reasons, have become traditional in the AGO and in which staff may participate without further approval. These include the Breast Cancer Awareness/Lee Denim Day, Little Red School House (school supply drives), Food Frenzy and the "Well Fed, Well Read" drive among state offices in the Olympia area, or the Daffodil Drive to support cancer research. Division employees who have division committees, such as Spokane's Helping Hands Committee, may send emails to members of the division with division chief permission.
4. *Periodic Other Events.* On rare occasions, the Chief Financial Officer or authorized designee may approve other office-wide fundraising for special purposes. Any staff member wishing to coordinate such an event should submit a request for approval and justification to the Chief Financial Officer, who will prior to approval, consult with the Operations Committee. Examples in the past have included: a solicitation for the American Red Cross to benefit Japanese Tsunami Relief, and a special event to benefit Northwest Harvest.

Individual staff members may also wish to solicit contributions from co-workers, or sell co-workers something, to benefit local charitable purposes of a non-profit organization. Examples may include sales of Girl Scout cookies, candy bars to support the purchase of school equipment, tickets to a school or community play, or pledges for an event such as the Crop Walk or a charitable "Bowl-a-Thon". Office resources, such as computer equipment or employee time, may not be used for these purposes. The only office facilities that may be used are bulletin boards or table surfaces in break rooms, coffee rooms, or other common areas.

Managers and supervisors must never personally solicit employees who work under their supervision or over whom they have influence. Aside from the above approval requirement under this section, staff engaged in charitable solicitation must similarly avoid conveying any perception that the solicitation is supported or endorsed by supervisors or management. Staff should remember that those from whom they may seek contributions of time or money may not be able to give or may choose to give to other charities.

**E. Use for Legal Services Outreach, Volunteering, and Various Bar Association Events**

1. *Bar Association, Local Bar Associations and Minority Bar Association Events.* The DAC and the AGO encourage events and reports from the various local and state bar associations. Such bar association events may be advertised in the same manner as diversity events and other events that are reasonably related to official state purposes but cannot include advertisements that specify the event is a fundraising event. One of the Chairs of an AGO committee may send out notice of the event in the same manner as set forth in I.C of this policy.
2. *Legal Services for the Needy.* Staff may solicit volunteers for pro bono legal work and participants in volunteer legal services organizations and activities to be done consistent with the *Pro Bono Activities Policy*.
3. Staff may be notified of opportunities to volunteer for legal skills training such as the YWCA/YMCA mock trials or Legal Rights education days for high school and/or law school students.

**F. Prohibited Uses**

The following personal uses of state resources are prohibited:

- Any use for the purpose of conducting an outside business, private employment, or other activities conducted for financial gain;
- 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 political party, or supporting, promoting the interests of, or soliciting for a nonprofit organization unless provided for by law or authorized by the AGO pursuant to policy;
- 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;
- Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head;
- Any use that is otherwise prohibited by federal or state law, or office policy;
- Illegal activity;
- Removing state property for any private/personal use.

**II. RESPONSIBILITIES:**

*All employees and volunteers* must be familiar with the parameters of this policy and related policies, and must use state resources accordingly. Failure to adhere to the requirements of this policy may result in disciplinary action.

*All supervisors* have authority to provide approval for limited personal use pursuant to Section I.B and must ensure that employees and volunteers are aware of this policy and ensure compliance to the extent possible.

***Division Chiefs or equivalents, Deputy Attorneys General,*** or the Chief Financial Officer or authorized designee must approve use of state resources related to official state purposes, but which are not related to a requesting employee's or volunteer's own official duties, as well as those charitable solicitations regularly approved under Section I.D above.



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