
	<p>POLICY NO. 408</p> <p>TITLE: Use of State Resources</p>
Related Procedures:	None
Other Regulations and Resources:	RCW 42.52.160 & 180 WAC 292-110-010 Ethics Advisory Committee
Related OAH Policies:	Policy 102 – Code of Ethics for ALJs
Tools or Forms:	Tools: <ul style="list-style-type: none"> • None Forms: <ul style="list-style-type: none"> • None
Effective Date:	October 7, 2020 (supersedes December 1, 2016 policy)
Last Reviewed:	February 24, 2020
Ethics Board Approved:	
Date for Next Review:	October 7, 2023
Policy Owner:	Josh Sundt, Deputy Chief ALJ and Agency Risk Manager
Phone:	360-407-2765
Approved:	
Date:	October 7, 2020

Purpose:

The purpose of this policy is to outline the general guidelines for permissible and prohibited uses of all state resources by Office of Administrative Hearings (OAH) employees. Further information regarding the use of state resources is located on the Washington State Executive Ethics Board Website: <http://www.ethics.wa.gov/>.

Policy:

All OAH employees, including teleworkers and pro tem ALJs, are responsible for the proper use of state resources, including funds, facilities, tools, property, and their time.

Violation of this policy may result in disciplinary action up to and including dismissal.

Official State Purpose

Employees are permitted to use state resources for an official state purpose. Examples may include training and career development, membership or participation in professional associations, state or agency sponsored health, safety or diversity fairs, management of or access to state sponsored benefits, searching and applying for state jobs, placing non-governmental webpage links on the OAH website. See WAC 292-110-010(2)(a).

Personal

Employees are permitted *de minimis* use of state resources for personal use, in some circumstances. A use is *de minimis* only if each of the following conditions are met:

1. There is little or no cost to the state;
2. Any use is brief;
3. Any use occurs infrequently;
4. The use does not interfere with the performance of any state officer's or employee's official duties;
5. The use does not compromise the security or integrity of state property, information systems, or software;
6. The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain; and
7. The use is not for supporting, promoting the interest of, or soliciting for an outside organization or group.

Use of state resources for any political activities is prohibited; there is no *de minimis* exception.

OAH permits employees to use state resources as follows:

The Chief ALJ has authorized the following limited use of agency staff time and resources to support, promote, or solicit for an outside organization or group:

- Supporting, promoting or soliciting for the Combined Fund Drive or other charitable activities approved by the Chief ALJ or his/her designee;
- Employee recognition including birthday, retirement, wedding/baby showers or similar celebrations;
- Activities supporting organization effectiveness provided the use of state resources for such purposes is approved by the Executive Ethics Board;
- State or agency sponsored wellness activities. For example, vaccinations, diabetes screenings, cholesterol screenings, and SmartHealth.

OAH prohibits employees from using state resources for personal private uses including, but not limited to:

- State law prohibits employees from using state resources for any political campaign use;
- Conducting business, private employment, or other activities conducted for financial gain;
- Participating in or assisting in an effort to lobby the state legislature, or a state agency head.

There is no *de minimis* exception for these uses.

For additional permitted or prohibited uses, refer to the Executive Ethics Board website.

Definitions:	
Official state purpose	Includes use of state resources to conduct official duties, activities reasonably related to the conduct of official state duties, activities related to state employment, and activities otherwise allowed by statute.
State resources	Includes all resources under an employee's control including, but not limited to, facilities of an agency, state employees, computers, equipment, vehicles, consumable resources, and state information such as databases and employee lists.