

RENTON TECHNICAL COLLEGE POLICY & PROCEDURE

CHAPTER	SECTION	TITLE	HISTORY
4	5	Ethics Policy	Adopted: 12/03 Revised: 9/22 Reviewed: Sponsor: L. Hogan

POLICY:

It is the policy of Renton Technical College to uphold the Washington State Law, [Ethics in Public Service, RCW 42.52](#), which establishes minimum standards of conduct while performing public duties and seeks to remove doubts concerning violations of public trust and confidence, the impairment of independent judgment, and favoritism in the performance of public duties that can be created by outside or personal interests. Renton Technical College employees and officers (hereafter “employees”) may not have an interest, financial or otherwise, direct or indirect or engage in a business or transaction of other activity, or incur an obligation of any nature that is in conflict with the proper discharge of duties.

Employees of the college are required to:

- A. Conduct the business of the institution in accordance to ethical standards as outlined in statute;
- B. Protect the integrity of the institution of being independent and impartial in the performance of their duties and not use their public office, equipment or time for personal profit or gain, private advantage for oneself or any other person;
- C. Promote an environment free from fraud, abuse of authority and forms of unlawful discrimination and harassment;
- D. Protect confidential information that is accessed in the course of business; and
- E. Avoid activities that conflict with the proper discharge of their duties.

DEFINITIONS:

De minimis: Minimal in duration and frequency with little or no cost to the state, or the cost is so small as to be considered insignificant or negligible. Conditions that must be met are listed within WAC 292-110-010(3) and in Section 1A of this policy.

Employee: Any individual employed by Renton Technical College, including student employees and volunteers.

Executive Ethics Board (EEB): Washington State agency designated to oversee the Ethics in Public Service Act.

Ethics Officer: Employee of the College designated to oversee ethics standards, complaints and investigations for the institution. The designated Ethics Officer of Renton Technical College is the Vice President of Human Resources.

Gifts: Anything of economic value for which no consideration is given in return, with specified exceptions. These exceptions include certain items received from family members or friends,

certain items related to an outside business, items exchanged among coworkers, and as outlined in RCW 42.52.010(9).

Honorarium: Referring to money or a thing of value that is offered to an employee or officer in exchange for a speech, appearance, article or similar item of activity in connection with the employee's official role with the College.

Officer of the College: Trustee of the Board.

Things of Economic Value: In addition to its ordinary meaning, includes:

1. A loan, property interest, interest in a contract;
2. Employment or another arrangement involving a right to compensation;
3. An option, irrespective of the conditions to the exercise of the option; and
4. A promise or undertaking for present or future delivery or procurement.

I. GENERAL ETHICAL STANDARDS

A. Use of State Resources for Personal Benefit

Renton Technical College officers and employees may *not* use state resources – office, money, property, or personnel under the officer's or employee's official control or direction, for personal benefit or benefit of another person (unless part of one's official duties).

Officers and employees are responsible for the proper use of college resources, including funds, facilities, tools, property and one's time. State resources usage is permitted for official duties which includes

- a. Training and career development approved by the college
- b. Membership or participation in professional associations that enhance job related skills as approved by the college
- c. State or RTC sponsored health, safety or diversity fairs
- d. Management or access to state provided/sponsored benefits, including health, deferred compensation insurance, retirement and employee assistance programs
- e. Searching/applying for state jobs, including examinations and interviews
- f. Placement of nongovernmental web page links on the website for official state purposes (that do not violate RCW 42.52.180)

The president, ethics officer, or designee(s) may also approve (in advance) the limited use of college resources and employee time for

- g. Supporting, promoting or soliciting for charitable activities
- h. Employee recognition events
- i. Organizational effectiveness activities that supports a collegial and effective work environment. These activities include the following:
 - i. those that support Renton Technical College's Foundation and the Washington State Combined Fund Drive
 - ii. Recognizing employees, including birthdays, retirements, wedding/baby showers or other similar celebrations
 - iii. Team building exercises that otherwise complies with this policy

- iv. Staff training and development with an educational value that would benefit the state
- j. State or college sponsored health activities, or recording one's participation in a PEBB-sponsored wellness program.

Under certain, *de minimis* circumstances an employee may use state resources for personal purposes provided:

1. There is little or no cost to the state.
2. The use must be brief in duration and occur infrequently.
3. The use must *not* disrupt or distract from the conduct of state business due to volume or frequency.
4. The use does *not* disrupt other state employees or obligate them to make personal use of state resources.
5. There is no interference with duties.
6. Security or integrity of state information or software cannot be compromised.

De minimis use is permitted for the telephone, computer, fax, email and Internet provided that the use is not for personal gain, such as conducting an outside business or other private employment; supporting, promoting or soliciting for an outside group or organization; for political or campaign activities; or illegal activities. Personal use of the state SCAN long-distance telephone system is not permitted.

Renton Technical College may allow limited use of state resources to promote organizational effectiveness or enhance job-related skills.

The State of Washington prohibits the use of state resources under the following circumstances. An employee:

1. Cannot use state resources to conduct an outside business.
2. Cannot use state resources to support, promote, or solicit for an outside organization or group.
3. Cannot use state resources for political campaigns, ballot propositions, or prohibited lobbying.
4. Cannot use state resources commercially for advertising or selling.
5. Cannot use, for personal reasons, consumable state resources such as paper, envelopes, or spare parts.
6. Cannot use, for personal reasons, state resources that may be removed from campus, such as but not limited to tools, computers, video recorders, vehicles and cameras.

B. Gifts

College officers and employees may not accept a gift, if it could reasonably be expected to influence the performance or nonperformance of the officer's or employee's official duties (including actions, judgments or votes). In addition, a state officer or state employee may not accept a gift from any person with a value in excess of \$50 a year.

1. Not considered gifts under this statute include:

- a. Items from family and friends if the clear purpose is *not* to gain or maintain influence in the employee's agency.
- b. Customary items related to an officer's or employee's outside business.

- c. Items exchanged at social events by co-workers.
- d. Reasonable expenses (Travel, room, meals) for speeches and seminars made in an official college capacity.
- e. Items permitted by law.
- f. Items returned or donated to charity within thirty (30) days.
- g. Discounts available to individual as member of a broad-based group.

2. The \$50 limit does not apply to:

- a. Unsolicited flowers, plants and floral arrangements.
- b. Unsolicited advertising and promotional items.
- c. Unsolicited plaques and awards of appreciation.
- d. Unsolicited items received for evaluation, if no beneficial interest in the eventual use or acquisition of the item by the College.
- e. Publications related to official duties.
- f. Admission to and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic, charitable, governmental or community organization.
- g. Unsolicited gifts from foreign dignitaries intended to be personal in nature.
- h. Food and beverage at hosted receptions.
- i. Food and beverages on infrequent occasions in the ordinary course of meals, when related to official duties.

Certain state employees are not permitted to accept some of the above- mentioned gifts. Called “Section 4” employees by statute, they are involved in the acquisition of goods or services. Consult with the Ethics Officer if these additional restrictions apply, prior to accepting any gifts or tokens of appreciation.

C. Honoraria

An honorarium is money or anything of economic value offered for a speech, appearance, or article in connection with an officer’s or employee’s official duties. An employee may not receive an honorarium unless it is specifically authorized by his or her supervisor (President, Vice President, or designated Ethics Officer).

Employees may use state time and resources to prepare materials for a speech or presentation for which an honorarium will be awarded if the activity is related to the employee’s official role in state employment. If it is not connected to one’s official role, any payment received is not an honorarium; rather it is considered outside compensation subject to [RCW 42.52.120](#). Also, if an honorarium includes payment for travel, lodging or subsistence expenses, the employee cannot also seek or accept college reimbursement of such expenses.

Employees may not accept an honorarium under the following circumstances:

1. The person offering the honorarium is seeking or is reasonably expected to seek a contract with the college and the employee is in a position to participate in the terms or award of the contract.
2. The person offering the honorarium is regulated by the college and the employee is in a position to participate in the regulation.

3. The person offering the honorarium may keep or oppose enactment of legislation, adoption of rules or changes in policy by the college and the officer or employee is in a position to participate in the enactment or adoption.

D. Confidential Information

Confidential information refers to specific information, rather than generalized knowledge, that is not available to the general public on request, and information that is made confidential by law. College employees may not disclose confidential information to an unauthorized person.

1. An employee may not disclose or use confidential information for personal benefit or to benefit another.
2. An employee may not accept employment or engage in business, if it might reasonably be expected to induce or require the disclosure of confidential information.
3. An employee may not intentionally conceal records that are required to be released under the state public records law.

E. Conflict of Interest/Financial Interest in Transaction

Conflict of interest laws define the line between public duties and personal interests, including financial and non-financial interests and obligations.

1. An employee may not have a “beneficial interest” in a contract, sale, lease, purchase or grant made by, through, or under the employee’s supervision.
2. An employee may not accept, directly or indirectly, any compensation, gift, or reward from any person beneficially interested in a contract, sale, lease, purchase or grant.
3. An employee may not participate in a transaction involving the state in which the employee owns a beneficial interest.
 - a. A “beneficial interest” is the right to enjoy profit, benefit, or advantage from a contract or other property. Example: Married couples each have a beneficial interest in the other spouse’s community property.
4. A state officer or employee may not assist in a transaction involving the state if it was under his or her official responsibility within two (2) years prior to providing the assistance.

F. Compensation for Outside Activities/Private Employment

Employees may not receive anything of economic value under any contract or grant outside his/her official duties.

Employees shall not participate in outside employment or other financial arrangements that are, or could become, or could appear to be in conflict with the employee’s performance of his/her duties and responsibilities of College employees.

Compensation for outside activities IS allowed only under the following circumstances:

- The contract/grant is legitimate and actually performed, and
- The performance of the contract/grant is not within the official duties of the employee, is not under the employee’s supervision, and was not created or authorized by the employee in his/her official capacity, and
- The contract/grant is not performed for or compensated by a person who by law cannot give the employee a gift, and

- Performance of the contract/grant would not require disclosure of confidential information, and
- The performance of the contract/grant does not constitute a prohibited “transaction involving the state” or is not prohibited under applicable laws or rules governing outside employment for the officer or employee, and
- Renton Technical College employees who desire to contract with other state agencies or companies for work to be performed on non-college time must follow the requirements set forth by the Executive Ethics Board of the State of Washington.

G. Post State Employment

Employees leaving employment with the College may be subject to restrictions designed to ensure that former employees do not benefit as a result of decisions or actions made while in public service. Post-state restrictions include:

1. Contract restrictions prohibit former employees from accepting employment or compensation if (a) during the two years preceding termination of state employment, they were involved in negotiation or administration of a contract with that employer and in a position to make outcome-affecting discretionary decisions, (b) the contract(s) is /are worth over \$10,000, and (c) the employment or compensation relate to the fulfilling or implementation of that contract.
2. Beneficial interest restrictions prohibit a former employee, during the two years following termination of state employment, from having a “beneficial (financial) interest” in a grant or contract that was authorized or funded by an action in which s/he participated while in state employment.
3. Restrictions with no statutory limit prohibit former state employees from, among other things, accepting employment or compensation that they have reason to believe, or that a reasonable person would believe, was intended to influence or compensate their performance or non-performance of official duties. One may also not assist in any transaction involving the college (or state) in which one, at any time, participated in while doing one’s job. This means one may not give advice or assist the other organization, even if employed by that organization.

H. Faculty and Textbooks

The Ethics Law ([RCW 42.52.030](#)) states that faculty members may not assign a textbook in which they have a beneficial interest. However if a chair or committee, that does not include the faculty author, selects the textbook, then the faculty author can use the textbook and legally receive royalties from the textbook.

The restriction does apply if the faculty author is a decision-maker in the choices of textbooks for other classes if his/her textbook is used in classes taught by other faculty. ([RCW 42.52.020](#) and [42.52.110](#)).

Textbooks provided to faculty members by publishers for the purpose of review, where the faculty member retains the textbooks or situations where faculty members receive “courtesy copies” or “desk copies” of textbooks that the faculty members are using to teach their classes may not be sold for personal profit. Faculty and employees may accept gifts of informational material, publications or subscriptions such as textbooks

which are related to the recipient's performance of college duties. Once received faculty/employees may:

1. Use or retain the item to perform college duties; or
2. Dispose of items by either giving them to the college or to a charitable organization, or disposed of them in accordance with college surplus property procedures.
3. Return the textbook to the publisher or donate it to a charitable organization within 30 days of receipt. In cases where faculty have accepted review textbooks and used them for official purposes for a period of time, the faculty can decide to no longer keep the book. At that point, they have 30 days to donate the textbook to a charitable organization. State resources spent to facilitate the donation of textbooks must be limited.
4. Faculty are not allowed to sell review textbooks and then donate the proceeds to a charitable organization.
5. Faculty that participate in determining which textbooks will be used in classes are allowed to receive and retain review or desk copy textbooks from the publisher.

Faculty members may not receive compensation to provide a written review of a textbook.

I. Use of Public Resources for Political Campaigns

Employees may not use, or authorize the use of, the resources or facilities of the College directly or indirectly for the purposes of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the College employee using public resources in violation of this section constitutes a violation of this section according to statute. Facilities of the college include, but are not limited to: use of stationery, postage, machines and equipment, the use of College employees or students during working hours, vehicles, office space, and publications of the agency and clientele lists of persons served by the College.

While College employees have the right to free speech, there are limitations as to how they exercise that right while at work. Employees may not use their positions at the College to influence votes for or against any candidate or ballot issue. No College resources may be used to lobby for or against a candidate, ballot issue or legislative action.

J. Supporting Outside Organizations (including Charities)

In order to use resources to support an outside organization, the following must take place:

1. It must be specifically allowed by law, or the President of the College or the designated Ethics Officer must approve the use resources and acknowledge that the principles under "Conflict of Interest" (above) have been met.
2. It must be for an official purpose but does not have to be directly related to an employee's official duties.
3. Each employee may only make minimal use of state resources.
4. The activity must support or promote organizational effectiveness.

K. Off-Duty Activities

Off-duty activities that are a conflict of interest under [RCW 42.52](#) and/or this policy, are detrimental to the employee's work performance or College programs, bring discredit upon the College or otherwise constitute violation of this policy may be cause for disciplinary action, up to and including termination.

Employees shall report all arrests and any court-imposed sanctions or conditions that affect his/her ability to perform assigned duties to their appointing authority within twenty-four (24) hours of occurrence or prior to their shift, whichever occurs first.

II. Complaint Process

Complaints may be filed with the College's appointed Ethics Officer, the Director of Human Resources, who will follow the investigative procedure applicable to the employee who is alleged to have violated this policy or law.

College employees may also file complaints of alleged ethics violations directly with the Washington State Executive Ethics Board. Complaints must name a specific state officer or employee and the alleged conduct that could violate the state's ethics law, if substantiated.

III. Penalties

Employees violating this policy are subject to disciplinary action, up to and including termination, as well as penalties imposed by the Executive Ethics Board under [RCW 42.52.520](#).