CODE OF ETHICS

Ethical Standards for the College Workplace

Tacoma Community College enjoys a reputation for having high ethical standards. As a member of the college staff, you can take pride in our reputation for doing things right and for doing the right things. This is important because we, as public servants, are accountable to the people who rightfully have high expectations for our behavior and service standards.

To help state employees understand their rights and responsibilities, the Executive Ethics Board was created by the Washington Legislature to develop the Washington Ethics Law. This law enables each of us to take positive actions and demonstrate ethical behavior at all times. Although an organization may ascribe to ethical behavior, it ultimately begins with individuals. This brochure describes the basic principles for ethical behavior and asks you to accept personal responsibility for your decisions. If there is any question of whether your decision will be ethical, please seek advice from the Director of Accounting Services, who is the college’s Ethics Officer.

The ethics law is subject to interpretation by the Executive Ethics Board. As they issue rulings, this college’s Code of Ethics will be revised as necessary. Thank you for your support of and belief in Tacoma Community College.

Pamela Transue signature

Introduction

The Washington Ethics law, Revised Code of Washington, Chapter 42.52, applies to all state employees. It governs the actions and working relationships of Tacoma Community College employees with current or potential customers, fellow employees, suppliers, government representatives, the media and anyone else with whom the college has contact.

In these relationships, employees must observe the highest standards of ethical conduct. Each is expected in all education, business, and other matters and decisions to place the college’s interest above his or her own self-interest, where there is any actual or potential conflict.

In adopting the basic statement of ethics, the state law intended that state employees may not, directly or indirectly:

- Have a financial interest or engage in any activity that is in conflict with the proper discharge of the employee’s official duties; nor

- Use their official position to secure special privileges for themselves or any other person; nor

- Receive compensation from any source, except the State of Washington, for performing his or her official duties.
Employees must resolve any doubt as to the meaning of the code in favor of good, ethical judgment. It is each employee’s responsibility to avoid even an appearance of impropriety.

**Statement of Ethics**

Government derives power from the people. Ethics in government are the foundation on which the structure rests. State officials and government employees hold a public trust that obligates them, in a special way, to honesty and integrity in fulfilling the responsibilities to which they are elected, appointed or employed.

*Paramount in that trust is the principle that public office or public position may not be used for personal gain or private advantage.*

The following sections describe major principles from the ethics law that apply to all employees of Tacoma Community College.

Some employees have extra restrictions under this law and should be informed of these special restrictions by the College Ethics Officer, the Director of Accounting Services. All employees are responsible for learning and complying with all of the law’s provisions that apply to them.

**GIFTS**

No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgement of the officer or employee, or be considered as part of a reward for action or inaction.

Excerpt from RCW 42.52.140.

The term “gift” means anything of economic value for which no value is given in return. However, there are certain statutory exceptions, such as some items received from family or friends, co-worker exchanges, expense reimbursements, and items returned within thirty days of receipt or donated to a charitable organization within thirty days of receipt.

A Tacoma Community College employee may not solicit a gift for personal benefit from students, other employees, vendors and / or individuals, organizations or companies that may transact business or have a relationship with the college currently or in the future. Unsolicited gifts from vendors and other organizations having or seeking to have a relationship with the college that are received by a college employee are property of the college.

Employees receiving gifts, other than the statutory exceptions, as mentioned above, are to report the receipt of the gift to their supervisor in writing to ensure that the college through the normal approval process accepts the gift. If accepted, the gift will be recorded in the college inventory (if required) and put in general use to benefit college programs and our students. Gifts that bear a value of greater than $50 but have no general use that would benefit college programs and students are to be sent to the college purchasing officer for disposal. After review by the college
purchasing officer the gift may be returned to the employee, or the item could be donated to the college foundation.

The following examples of situations that may arise are given as illustration to help further explain these ethics laws.

Example 1

Anne works for the college as a library technician. Part of her job is to assist people doing research in the library, and in this capacity, Anne has helped representatives of the QRS and the ABC Corporations.

When their research is completed, the two corporations each give Anne a gift. QRS company gives her a fishing rod worth $50 and ABC company gives her a fishing reel worth $45. Anne accepts the gifts.

**Anne has committed an ethical violation.** Even though the value of each individual item is $50 or less, the fishing rod and reel constitute a single gift. A single gift is defined to include any group of items to be used in conjunction with each other. The fishing rod and reel are designed to be used together and the value of this single gift is $95.

Example 2

Frank is a TCC employee, with three children. The president of Neighborhood Bank gives Jake and each member of his family a ticket to a sporting event. The value of each ticket is $20, the total value of the four tickets is $80. The bank president has never met Frank’s family. Frank accepts the gifts.

**Frank has committed an ethical violation.** The value of the tickets received by Frank and his family exceeds the $50 limit. The gift of tickets to Frank’s family is attributable to him because there is no independent business, family, or social relationship between the bank president and Frank’s family. Although there are some exceptions to the $50 limit, this does not qualify.

**Use of State Resources for Personal Benefit**

No state officer or state employee may employ or use any person, money, or property under the officer’s or employee’s official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another. This section does not prohibit the use of public resources to benefit others as part of a state officer’s or state employee’s public duties.

Excerpt from RCW 42.52.160

The Executive Ethics Board has adopted WAC 292-110-010 to cover the occasional use by employees of property having de minimis costs and value. The rule permits an employee to make occasional but limited use of state resources for private benefit only if: a) there is no cost to the state; and b) any use is the most effective use of time or resource; and c) the use of state
resources does not interfere with the performance of the employee’s official duties; and d) the use is brief in duration and does not disrupt or distract from the conduct of state business due to volume or frequency; and e) the use does not compromise the security or integrity of state information, software or property.

For example, an employee may make use of an office telephone to make local calls or an office bulletin board to post notices. An employee may make occasional use of e-mail, such as to check on the arrival home of a child. However, no personal use may be made of consumable property such as paper, envelopes or spare parts. State property cannot be “borrowed” for private use. All acquisitions and disposals of state property must follow college procedures.

The college has adopted an Acceptable Use Policy which is posted at TCC Online/Publications. Additional examples of acceptable and unacceptable uses of state resources for personal benefit may be found in Appendix B of this brochure.

Confidential Information

No state officer or state employee may accept employment or engage in any business or professional activity that the officer or employee might reasonably expect would require or induce disclosure of unauthorized confidential information acquired by the official or employee by reason of the official’s or employee’s official position. No state officer or state employee may disclose confidential information gained by reason of the officer’s or employee’s official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another.

No state officer or state employee may disclose confidential information to any person not entitled or authorized to receive the information. No state officer or state employee may intentionally conceal a record if the officer or employee knew the record was required to be released under chapter 42.17 RCW, was under a personal obligation to release the record, and failed to do so. This subsection does not apply where the decision to withhold the record was made in good faith.”

Excerpt from RCW 42.52.050

Tacoma Community College employees are required to maintain confidential information and not to use confidential information for personal gain or for gain by anyone not entitled to receive the information. Likewise outside employment and other circumstances that are likely to compromise information received from the college must be avoided.

Additionally the college has in place a Confidentiality of Student Records Policy (chapter 132V-15 WAC) which is posted at TCC Online/Publications/College Administrative Manual/Student Services.

Compensation for Outside Activities
No state officer or state employee may receive any thing of economic value under any contract or grant outside of his or her official duties* if the contract or grant is related or appears to be related to the employee’s official duties and responsibilities.

Excerpt from RCW 42.52.120

This provision is to prohibit outside employment or other financial arrangements that could have or could become a conflict, or even have the appearance of a conflict, with the employee’s ability to perform duties and responsibilities to achieve the best results for the college. When considering decisions dealing with employment, remember that the definition of employee includes your spouse and immediate family. There are many specific instructions and requirement under this provision, including a six-part exception for bona fide outside compensation that does not violate other restrictions. If you have questions about a relationship you or your family has, please consult the college ethics officer.

Example

Shirley works in the physical plant department at Tacoma Community College and has responsibility to ensure that the contractor (LMN) completing a minor capital project meets the contract conditions and standards. Shirley has an excellent understanding of the community college contracting and construction process. LMN Corporation hires Shirley for $300 to spend a weekend reviewing their proposal bid for a construction project at a nearby community college.

**Shirley has committed an ethics violation.** She may not accept payment from LMN Corporation because the weekend work appears to be related to her TCC employment, in that she would be paid by a company she is responsible for monitoring for TCC.

**Honoraria**

No state officer or state employee may receive honoraria unless specifically authorized by the agency where they serve as state officer or state employee.

Excerpt from RCW 42.52.130

Honorarium is defined as money or thing of economic value offered to an employee for a speech, appearance, article or similar item or activity in connection with the employee’s official role at the college. An Honorarium Authorization form is posted at TCC Online/Forms/Business Office/Honorarium.

Tacoma Community College employees, faculty and administrators may accept honoraria, except under the following circumstances: a) the person or organization offering the honorarium is seeking contractual relations with the college and the employee is in a position to participate in the terms or the awarding of the contract or grant; or b) the person or organization offering the honorarium is regulated by the college and the employee is in a position to participate in the regulation; or c) the person or organization offering the honorarium is supporting or opposing
college adoption of particular rules, action or policy changes and the employee may participate in the enactment or adoption of regulations, actions or policy changes.

Example 1

A faculty member who does not sit on a textbook selection committee considering a particular textbook may agree to review a textbook and accept an honorarium from the publisher. However, should the publisher’s book be considered for selection as a text for a class, the faculty member, having received an honorarium, must refuse to participate in the textbook selection decision.

Example 2

An administrator in the Nursing department has been invited to present an evening workshop at a Northwest Convention of the National Nursing Association in Bellingham. The Association offers the administrator an honorarium of $500, plus mileage, lodging and meals for one night. After completing the honoraria form and submitting it for appropriate college executive approval, the administrator can accept the honorarium of $500 plus payment of reasonable expenses incurred in connection with the presentation made in an official capacity. Restrictions on the acceptance of any payment would apply if the administrator was involved with contracting or purchasing, on behalf of the college, with the National Nursing Association.

Use of Public Resources for Political Campaigns

No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, 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. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include but are not limited to use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

Excerpt from RCW 42.52.180

Assisting in Transactions

Except in the course of official duties or incident to official duties, no state officer or state employee may assist another person, directly or indirectly, whether or not for compensation, in a transaction involving the state in which the state officer or state employee has at any time participated or if the transaction involving the state is or has been under the official responsibility of the state officer or state employee within a period of two years preceding such assistance.

Excerpt from RCW 42.52.040

Financial Interest in Transactions
No state officer or state employee . . . may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant. No state officer or state employee may participate in a transaction involving the state in his or her official capacity with a person of which the officer or employee is an officer, agent, employee, or member, or in which the officer or employee owns a beneficial interest.

Excerpt from RCW 42.52.030

Tacoma Community College employees may not participate in college decisions that benefit, or appear to benefit, the employee or any person or organization in which the employee has or appears to have a beneficial interest. A beneficial interest commonly means a financial interest or a potential financial benefit. Beneficial interest includes spouses, family members, and businesses and organizations in which the employee has a level of management power and owner interest but excludes ownership interest in mutual funds, investment pools, and corporation stocks where there is no management power.

Example

If the college is considering purchasing a product or service from a company employing one’s spouse in a management position, the employee must refuse to participate in the process that may lead to the decision to purchase or not purchase the product or service.

Post State Employment

The ethics law contains several restrictions on former state employees. A Tacoma Community College employee considering leaving the college and seeking employment that may do business with the college or other state agencies should carefully read and study this section of the ethics law contained primarily in, but not limited to, RCW 42.52.080.

Disclosure and Complaint Procedure

A person may, personally or by his or her attorney, make, sign, and file with the appropriate ethics board a complaint on a form provided by the appropriate ethics board. The complaint shall state the name of the person alleged to have violated this chapter or rules adopted under it and the particulars thereof, and contain such other information as may be required by the appropriate ethics board.

Excerpt from RCW 42.52.410

Tacoma Community College employees may file complaints with the Executive Ethics Board directly as noted above or may make complaints known to the college ethics officer. Formal complaint forms are available at the Ethics Board’s web site at www.wa.gov/ethics.
Complaints to the college may be made informally or formally. Informal complaints may be presented orally and will be investigated as deemed appropriate by the college’s ethics officer. The kind of investigation and subsequent action remains the sole prerogative of the ethics officer. Filing an informal complaint does not preclude a subsequent filing of a formal complaint.

Formal complaints to the college must be filed and signed by the employee in writing on the appropriate forms provided by the college’s ethics officer and contain all pertinent information called for on the appropriate form. Formal complaints are serious matters and will be seriously investigated by the college ethics officer. Employees named in formal complaints shall be afforded the right to all information contained in the complaint and shall have adequate opportunity to provide information and evidence needed or requested by the college ethics officer. An investigation of a formal complaint normally will result in a written decision by the college’s ethics officer.

Retaliation against a complainant is forbidden as a matter of college policy.

**Biannual Review**

All employees will receive a copy of the Tacoma Community College Code of Ethics. New employees will receive a copy during employee orientation conducted by the Human Resource office. All supervisors are responsible for reviewing the Code of Ethics with their office and departmental employees at least once a biennium, normally during fall quarter. Supervisors will report to their department heads and to the college’s ethics officer the time and date of the departmental review of the Code of Ethics and the names of the employees attending the review at the end of each review cycle.

The Executive Ethics Board rules and advisory opinions are available at the Board’s web site at www.wa.gov/ethics.

As rules are adopted they will be available to employees from the college’s ethics officer.

All Tacoma Community College employees are expected to follow the guidelines presented in this brochure and to use reasonable and conservative judgment in matters of personal use of time and equipment.

**APPENDIX A: FREQUENTLY ASKED QUESTIONS**

**Use of State Resources**

Q: Are there general guidelines for the use of state resources?

A: Yes. All state officers and employees have a duty to ensure the proper stewardship of state resources, including funds, facilities, tools, property, employees and their time. Accordingly, the Ethics in Public Service Act states that resources under your official control may not be used for the private benefit or gain of a state officer, state employee, another person or outside organizations.
What types of state resources are covered under the ethics law?

A. The guidelines on use of state resources apply to all resources under an employee’s control including, but not limited to, facilities of an agency, state employees, computers, equipment, vehicles, and consumable resources. State resources also include state information, e.g., databases, employee lists.

What exactly is meant by “private benefit or gain”?

A: A private benefit or gain could mean you are avoiding a cost or expense, or are paying a discounted government rate by using a state resource for a personal reason or for personal convenience. There are some uses that do not appear to have a cost but may result in private benefit or gain. For example, it may not cost a significant amount of money to make a local phone call or to send an email or use a state computer to access the Internet. Nevertheless, by making personal use of a resource available to you only because you are a state employee, you are receiving a private benefit or gain and spending time away from your official duties.

I’ve heard that de minimis use is allowed. What is a de minimis use anyway?

A: A de minimis use is an infrequent or occasional use that results in little or no actual cost to the state. A brief local phone call to make a medical or dental appointment is a de minimis use of state resources. The cost of a brief local phone call is negligible and is not likely to interfere with your job.

If I use a state resource, can’t I just reimburse my agency for the use?

A: No. Reimbursing for a personal use may result in a personal benefit and may impose significant administrative burdens on the agency. For example, the price of a SCAN call is less than you would pay using your local telephone company. Reimbursing also creates the misperception that personal use is OK as long as we pay for it. Personal use should be the exception not the rule.

Can I play games on my computer during lunch and break times?

A: No. The computer at your workstation remains a state resource regardless of whether you are working or on a break. In some cases, if it is inappropriate to use a state resource during working hours, it is inappropriate to use that same resource while you are not working. For example, you cannot use a state resource for political or campaign activities regardless of whether you are using the resource during working hours or non-working hours. Additionally, when employees download games or load interactive games onto state owned computers, the game play often involves several state employees or can compromise the security or integrity of state information, databases and databases.

Are there any uses of state resources that are prohibited?

A: Yes. The allowance for de minimis use does not apply to the following uses:
- conducting an outside business or private employment;
- political or campaign activities;
- commercial uses like advertising or selling products;
- lobbying that is unrelated to official duties;
- solicitation on behalf of other persons or organizations unless approved by the agency head;
- illegal or inappropriate activities and

- private use of state property that has been removed from state facilities or official duty stations, even if there is no cost to the state.

- Is de minimis use of resources allowed if it promotes organizational effectiveness?

A: Organizational effectiveness relates to an agency’s mission and encompasses activities that enhance or augment the agency’s ability to perform its mission. The Executive Ethics Board recognizes that state agencies may allow employees to participate in activities that are not official state duties but promote organizational effectiveness by supporting a collegial work environment. The Board believes that so long as the employees who participate in the activity limit their use of state resources, then these activities would not undermine public confidence in state government. In addition, the Ethics Act normally prohibits the use of state resources to support outside organizations or groups, including charities, unless the support is part of the agency’s official duties. The Board’s rule allows agency heads to nevertheless approve a de minimis use of state resources for activity that promotes organizational effectiveness even if that activity may incidentally support a private organization. Agency heads are cautioned, however, that activity allowed under this rule may not involve a state agency’s endorsement or promotion of a commercial activity such as advertising or selling products. The following examples address “promoting organizational effectiveness.”

Example 1:

An agency determines that an agency wide retirement lunch will enhance organizational effectiveness. The retirement lunch will last a half hour longer than the normal one hour lunch break. An employee uses his or her office computer to compose a flyer about the lunch, send a few reminder e-mails, and collect for a retirement present. This is not an ethical violation. The use supports organizational effectiveness and was approved by the agency. Since most of the activity takes place outside of normal working hours, it will not interfere with the performance of each employee’s official duties. In addition, the employee’s use of the office computer and printer will result in little or no cost to the state.

Example 2:
An agency decides that attending a specific sporting event or going to a local amusement park as a group will promote organizational effectiveness. In order to organize the event the agency uses a very limited amount of state paid time and agency resources to send one email notifying employees of the event and to post flyers and discount coupons in a break room so that employees who attend can take advantage of the discounts available. The flyers and coupons promote a commercial organization, such as a local amusement park, or promote a specific event, such as a state employee appreciation day at a sporting event. **This is not an ethical violation.** Attending the sporting event or going to an amusement park may improve employee morale, which supports organizational effectiveness. The agency approved this very limited use of resources and the activity falls within the de minimis use guidelines.

**Example 3:**

An agency decides that attending a specific sporting event or going to a local amusement park as a group will promote organizational effectiveness. The agency uses state paid time and agency resources to distribute multiple flyers or multiple discount coupons to all agency employees. The flyers and coupons promote a commercial organization, such as a local amusement park, or promote a specific event, such as a state employee appreciation day at a sporting event. **This is an ethical violation.** While attending the sporting event or going to the amusement park may improve employee morale, the use of state resources exceeds the de minimis use guidelines. When there is no statutory authority for the use of state resources to support a private commercial product or organization, the extensive use of state resources for that activity undermines public confidence in state government.

**E-Mail and Internet Use**

**Q:** Can I send a personal e-mail message without violating the ethics law?

**A:** Yes, provided messages are brief and infrequent. The general ethics standard is that any use of a state resource for other than official business purposes needs to be brief in duration and frequency to ensure there is no cost to the state and the use does not interfere with the performance of official duties. You should also avoid creating the perception that the intent of your personal e-mail is to avoid the personal expense of making a long distance phone call. Additionally, the college has adopted an Acceptable Use Policy which requires compliance by all users of the college’s information systems or services. The Acceptable Use Policy, which includes usage of both campus email and the Internet, is posted at TCC-Online/Publications.

**Q:** Are my e-mail or voice messages private?

**A:** No, if you use state equipment do not expect a right to privacy for any of your e-mail, fax transmissions or voicemail communications. E-mail and voicemail communications may be considered public records and could be subject to disclosure. Aside from disclosure, employees should consider that e-mail communications are subject to alteration and may be forwarded to unintended recipients. Avoid these potential problems by treating e-mail communications as another form of business correspondence.
Q: Are there any restrictions on e-mail communications?

A: Yes. Aside from being brief and infrequent, e-mail messages cannot be for any of the following uses: conducting an outside business; political or campaign activities; commercial uses like advertising or selling products; solicitation on behalf of other persons unless approved by the agency head; and illegal activities, such as harassment. In addition, broadly distributing or chain-mailing an e-mail that is not related to official business is prohibited because it disrupts other college employees and obligates them to make a personal use of state resources.

Q: What are the guidelines on Internet use?

A: Just like the guidelines for e-mail discussed above, any personal use of state provided Internet access must be both brief and infrequent. Extensive personal use of state provided Internet access is not permitted.

Q: What do I do if I access the wrong Internet site?

A: Don’t panic! The best thing to do is to back out of the site and remember what it was that got you there and don’t go back. Everyone makes this kind of mistake. It is also advisable to contact your supervisor or information systems staff to notify them of your mistake.

Charitable & Other Solicitations

Q: Can I use state resources to solicit for charities?

A: The *de minimis*, or limited, use of state resources for charitable solicitations may be allowed if an agency head or his/her designee approves the activity as one that promotes organizational effectiveness. Approval may be in the form of a specific policy that establishes guidelines for limited use of state resources.

Q: Is there anything employees shouldn’t do while conducting charitable solicitations?

A: Any use of state resources that results in an expenditure of funds should be avoided. Consider this scenario: a group of employees spend 6 working hours of staff time a week for over a four-week period to plan a charitable fund-raiser, and use the computer, fax, and copier to produce fund-raising materials. This is an expenditure of state funds that would not be considered a de minimis or limited use of state resources. In addition, state resources may not be used for the benefit of any other person, whether or not operated for profit, unless the use is within the course of official duties.

Q: What about the Combined Fund Drive (CFD)?

A: The Combined Fund Drive is somewhat different than other independent charitable solicitations because it is the only solicitation that has been established by state legislature. The use of state resources to support the Combined Fund Drive should be reasonable, involve little or no cost to the agency and should not disrupt the conduct of official business in state offices.
Q: How about agency participation in commercial activity that benefits the Combined Fund Drive:

A: State agencies should avoid direct involvement in commercial activity even if the proceeds may benefit the Combined Fund Drive. Examples of improper direct involvement include distributing commercial product sales brochures and order forms to agency employees, collecting product order forms in the workplace or on state paid time, and distributing products in the workplace or on state paid time.

Q: Can agency employees solicit donations for charitable events from outside businesses?

A: The state’s ethics law contains a very strong presumption against solicitation by any state officer or state employee for any purpose, including charitable events. A state officer or state employee whose official duties include regulation or the contracting for goods and services needs to be especially careful about solicitation. Solicitation by state employees can create the appearance that a donation might result in favorable treatment from the state, whereas a failure to donate might result in unfavorable treatment. The following examples address solicitation on behalf of charitable organizations:

**Example 1:** The agency purchasing officer sends a letter requesting gifts or donations for use at a CFD kick off luncheon to several vendors who provide goods and services to the agency. **This is an ethical violation.** While the purchasing supervisor will not personally benefit from the gifts, the CFD charities and the gift recipients would benefit from them. In addition, it would be reasonably expected that vendors who respond favorably to the solicitation did so with the intent to influence the vote, action, or judgment of the purchasing supervisor.

**Example 2:** A college administrator sends a letter to local businesses, including several vendors who provide goods and services to the agency, requesting gifts or donations for a use that will benefit agency employees and a private charity. **This is an ethical violation.** While the administrator will not personally benefit from the gifts, the private charity would benefit from them. In addition, it would be reasonably expected that vendors who respond favorably to the solicitation did so with the intent to influence the vote, action, or judgment of the administrator. This expectation in the vendors would be true even if the administrator did not routinely participate in such decisions.

**Example 3:** After work or on the weekend a group of college employees solicit holiday gifts on behalf of a family sponsored by Adopt-a-Family or their local private school. They solicit door to door in their neighborhood and do not solicit from college vendors or other individuals with whom they conduct state business. When soliciting the gifts they indicate that they are soliciting on behalf of the private school, the sponsored family, or Adopt-a-Family. **This is not an ethical violation.** The employees are not using their state positions to influence the private businesses and are not using state resources to support the private charities.

Q: Are there any other considerations we should take into account when conducting charitable solicitations?
A: Avoid direct personal solicitations of your co-workers and colleagues and opt for voluntary participation. In this way, employees avoid creating a situation in which others feel pressured to give or may perceive the risk of an unfavorable job action if they fail to give. Our dedication to helping others sometimes obscures the fact that those we ask to give may not be able to give or may chose to give to other charities.

Q: If we can’t solicit, then what should we do?

A: A state employee may purchase a gift certificate or other item for its fair market value and donate the item to an agency-sponsored charitable event.

APPENDIX B: Examples of Use of State Resources

Example 1: An employee makes a local telephone call or sends an e-mail communication to his home to make sure his children have arrived home safely from school. This is not an ethical violation. There is no cost to the state, and because either the call or the e-mail is brief in duration, it does not interfere with the performance of the employee’s official duties.

Example 2: An employee operates an outside business. Everyday she makes outside business calls on her state telephone. All of the calls are local calls. This is an ethical violation. The employee is conducting a private business on state time, which is a cost to the state.

Example 3: After working hours, an employee uses the office computer and printer to prepare client billings for a private business using his own paper. This is an ethical violation. Although use of the office computer and printer may result in a negligible cost to the state, conducting a private business is an inappropriate use of state resources.

Example 4: Every spring a group of employees meets during lunch to organize an agency softball team. The meeting is held in a conference room that is not needed for agency business during the lunch hour. This is not an ethical violation. There is no cost to the state and the meeting does not interfere with the performance of official duties because it is during a lunch hour.

Example 5: Agency equipment includes a VCR. One night an employee takes the machine home to watch videos of her family vacation. This is an ethical violation. Although there is no cost to the state, an employee may not make private use of state equipment removed from state facilities or another official duty station.

Example 6: An employee routinely uses the Internet to manage her personal investment portfolio and communicate information to her broker. This is an ethical violation. Using state resources to monitor private stock investments or make stock trades are private activities that can result in a private financial benefit or gain. Allowing even an occasional or limited use of state facilities to facilitate a private financial gain undermines public confidence in state government.

Example 7: An employee puts a state telephone number or work address on business cards or letterhead for his outside business. Several customers contact the employee at the office number
to conduct the outside business. **This is an ethical violation.** Although the use of the telephone may result in a negligible cost to the state, conducting a private business is an illegal use of state resources.

**Example 8:** An employee spends thirty to forty minutes looking at various web sites related to a personal interest. **This is an ethical violation.** The use is not brief and can interfere with the performance of state duties.

**Example 9:** An employee visits several humor and joke sites. While at a site, she downloads a joke file and e-mails it to several co-workers. **This is an ethical violation.** By e-mailing a file to co-workers the employee disrupts other state employees and obligates them to make a personal use of state resources. In addition, downloading files and distributing them to co-workers can introduce a computer virus, which can compromise state databases.