


Effective August 4, 2014

Approved by


Allyson Brooks, Director, State Historic Preservation Officer

Purpose

To provide direction to the Department of Archaeology & Historic Preservation (DAHP) employees in making ethical choices, acting in a manner that demonstrates high ethical standards and complying with the provisions of the Ethics in Public Service Act.

Ensuring ethical conduct in the workplace requires that all employees know what ethical conduct is and then fully embrace this conduct in every aspect of work. DAHP employees are expected to conduct themselves and their business affairs in a manner that is consistent with the agency's values and ethical standards, as well as the Ethics Act.

Policy Statement

All agency employees are expected to maintain high professional and ethical standards at all times. Specific expectations, roles and responsibilities are as follows:

1. The Director is responsible for and shall exercise personal leadership in establishing, maintaining, and implementing the agency's ethics program. All agency resources (including staff time, materials, equipment) dedicated to implementing this policy is hereinafter referred to as DAHP's ethics program. The Director shall make available to the ethics program sufficient resources (including investigative, audit, legal, and administrative staff as necessary) to enable the agency to administer its program in a positive and effective manner.

The Director is designated as the agency's Ethics Advisor who coordinates and manages the agency's ethics program. The Ethics Advisor is the agency's liaison to the Executive Ethics Board. The Ethics Advisor will:

- a. Assess the application of conflict of interest laws and regulations to the information reported and counsel those officers or employees with regard to resolving actual or potential conflicts of interests or appearances.
- b. Counsel agency personnel concerning ethics standards and programs.
- c. Counsel departing and former agency officials on post-employment conflict of interest standards.
- d. Assist managers and supervisors in understanding and implementing the agency ethics programs.

- e. Develop and administer a system for periodic evaluation of the ethics program.
 - f. Provide training every two years.
2. The Ethics Advisor shall chair an agency ethics committee that will report regularly to the agency head. The purpose of this committee is to direct and oversee the agency's compliance with the laws and regulations governing ethics in public service. Its responsibility is to develop measures that monitor agency ethics and integrity. This committee meets periodically to review the effectiveness of the agency's ethics programs and compliance thereto. If possible, this committee shall include at least two individuals from non-supervisory positions.
3. All agency employees are responsible for knowing and adhering to the Ethics Act (RCW 42.52) and rules (WAC 292-110), applicable agency policies and procedures, and for making choices that exemplify an adherence to the highest ethical standards.
4. Employees are to avoid actions that create even the appearance of using their position for personal gain or private advantage for themselves or another person or to place another person or entity at a disadvantage for personal gain.
5. Employees should notify their supervisors of any actual or potential violations of this policy. When in doubt, employees should consult with the designated Ethics Advisor or the Department of Enterprise Services Human Resources Office.
6. Violations of the State Ethics Act or this policy may lead to corrective or disciplinary action, up to, and including termination.
7. The Executive Ethics Board has the authority and responsibility for investigating alleged violation(s) of the Ethics Act and may take administrative action against an agency employee, including imposing a civil penalty for violations. Anyone may file an ethics complaint against a state employee or officer. Complaint forms are available on the Executive Ethics Board's website. Complaints may be filed anonymously or the complainant may choose to remain confidential. Ethics complaints may be filed directly with this Board at the following address.

Executive Ethics Board
PO Box 40149
Olympia, WA 98504

8. The agency will take reasonable steps to achieve compliance with applicable laws, rules, and this policy by monitoring and auditing systems designed to detect unethical conduct and by publicizing a reporting system for employees and other agents to use to report ethical violations.

Response and Prevention - After a violation has been reported, the agency will take all reasonable steps to respond to the violation and to prevent further similar offenses.

General Expectations - The Ethics in Public Service Act, RCW 42.52 applies to all state employees and officers. Each agency employee is expected to read and understand this Act. Each agency employee is also expected to know and understand the agency's policies regarding certain sections of the Act, as these policies may be stricter than the Act and the employee must also comply with the stricter limitations.

Detailed information on issues related to state ethics, including interpretations and clarifying examples of the Ethics Act and rules are available at the Executive Ethics Board's website www.ethics.wa.gov.

Employees shall not:

1. Have a financial or other interest or engage in any business, including personal business or professional activity that conflicts with their official duties.
2. Use their position to secure a special privilege for themselves, their family, friends or any other person. A person is also considered to be an outside business or organization.
3. Receive any compensation including gift cards from any source, except the state, for performing or not performing their official duties.
4. Accept any gifts, except as allowed under RCW 42.52.140 and 150. Gifts include food and beverages in most situations.
5. Disclose confidential information to an unauthorized person, use confidential information for personal benefit or to benefit another or withhold disclosure of information that can be disclosed.
6. Use state resources for personal benefit or to benefit another except as allowed under agency policies and WAC 292-110-010.
7. Use state resources to campaign for the election of a person or a ballot initiative or to lobby an elected representative.
8. Assist another person in a transaction involving the state if they have participated in the transaction or the transaction was part of their job responsibilities.
9. Use their position to willfully disadvantage other persons or entities for personal motive or gain.

There are post-state employment restrictions placed on former employees. Should you leave state service, refer to RCW 42.52.080 to determine if any of these restrictions apply to your situation before accepting a post-state employment job. The Executive Ethics Board has jurisdiction over former employees regarding this section of the Act.

Formal Advisory Opinions - The Executive Ethics Board has the authority and responsibility to render formal advisory opinions. This service is available to any person who has a question about a matter over which the Board has jurisdiction.

Formal advisory opinions are usually not used for general advice concerning a specific individual's present or proposed activities or financial transactions. Such questions should be directed to this agency's designated Ethics Advisor or to the Director of the Executive Ethics Board.

WAC's and references that apply to this policy

- RCW 42.52.140 and 150
- RCW 42.52.080
- WAC 292-110-010 (use of state resources)