

AGO POLICY II.23

USE OF STATE RESOURCES

Contact: All Managers

Cross References: Ch. 42.52 RCW; WAC 292-110-010; Electronic Mail Use Policy; Internet Services Use Policy; Political Activities Policy; Software on AGO Computers Policy

Approved: 8/22/05 (rev. 06/15/06)

I. POLICY STATEMENT:

State resources shall be used consistent with state law and, except as permitted by this policy, only in support of AGO goals, objectives and operation.

A. Overview:

The personal use of state resources for private benefit or gain is prohibited by the AGO, 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, telephones, copiers, fax machines, computers, office supplies, vehicles and other AGO equipment. The exceptions in this policy are intended to be narrow and must be in compliance with WAC 292-110-010 and the Ethics in Public Service Act. Attached as *Attachment A is a Q and A* from the Executive Ethics Board giving examples of permissible and impermissible activities.

B. Permitted Use:

Any use of state resources reasonably related to the conduct of official state duties does not violate RCW 42.52.160 or AGO Policy. Additionally, the use of state resources that is reasonably related to an official state purpose, but not to an employee's or volunteer's official duty, is allowable only if it is authorized in writing by a Deputy or Division Chief. An example is conducting the agency's combined fund drive. The written authorization shall contain guidelines for the permitted use.

C. Permitted Limited Personal Use:

1. In accordance with WAC 292-110-010, state employees or volunteers may make very limited personal use of state resources that supports organizational effectiveness and does not undermine public trust and confidence as determined by management. AGO employees and volunteers may make occasional and limited use of state resources only if the following conditions apply:

- There is little to no cost to the state;
- Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;
- The use of state resources does not interfere with the performance of the employee's or volunteer's official duties;
- The use does not disrupt or distract from the conduct of state business due to volume or frequency;

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- The use does not disrupt other state employees or volunteers and does not obligate them to make a personal use of state resources;
- The use does not compromise the security or integrity of state information or software; and
- Charitable activities that otherwise meet these conditions are permissible. An example of an impermissible activity would be an employee sending a broadcast e-mail selling a product or raising funds benefiting a particular cause or organization of interest to them personally. (This does not, however, foreclose employees posting notices of charitable solicitations or fundraisers on bulletin boards or in break areas.) An example of a permissible activity would be a division soliciting funds to help a colleague or the colleague's family member suffering from a serious illness, or organizing a group of volunteers to spend a Saturday performing a particular charitable or public service.

2. Use in conformance with this policy is approved. Staff who have questions regarding a particular use should contact a supervisor for explicit approval.

3. AGO employees or volunteers may use AGO computers and other equipment to access the Internet provided the use conforms with WAC 292-110-010 and this policy. Use of the Internet shall also not be for a prohibited purpose as referenced in the *Internet Services Use Policy*. Employees or volunteers have no expectation of privacy in the use of these resources.

D. Impermissible Uses:

The following personal private uses of state resources are prohibited:

- Any use for the purpose of conducting an outside business or private employment;
- Any use for the purpose of supporting, promoting, or soliciting for an outside organization or group unless provided for by law or authorized by the AGO pursuant to this policy;
- Any campaign or political use;
- Commercial uses such as advertising or selling;
- Any use that is otherwise prohibited by office policy;
- Any use of state resources that involves sexual content;
- Illegal activity; or
- Any private use of state equipment that has been removed from state facilities or other official duty station.

II. RESPONSIBILITIES:

All employees and volunteers shall be familiar with the parameters of this policy and related policies, and shall conform their use of state resources accordingly. As with any policy, violation may result in disciplinary action, up to and including termination.

All supervisors shall provide approval for limited personal use pursuant to Section I.C, shall ensure that employees and volunteers are aware of this policy, and shall ensure compliance to the extent possible.

Division Chiefs, Deputy Attorneys General, or the Chief of Staff shall approve uses of state resources related to official state purposes under Section I.B that are not related to the official duties of the requesting employee or volunteer.

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Date: 7-13-06

/s/ Rob McKenna

ROB MCKENNA
Attorney General

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