



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
DEPARTMENT WIDE

REVISION DATE
DRAFT
11/11

PAGE NUMBER
1 of 5

NUMBER
DOC 850.025

POLICY

TITLE
OUTSIDE EMPLOYMENT/VOLUNTEER ACTIVITIES

REVIEW/REVISION HISTORY:

- Effective: 7/1/83 DOC 854.025
- Revised: 10/1/85
- Revised: 8/1/87
- Revised: 3/1/93
- Revised: 7/25/00 DOC 850.025
- Revised: 3/13/01
- Revised: 10/10/05
- Revised: 1/4/07
- Revised: 11/19/07
- Revised: 3/1/10
- Revised: DRAFT

SUMMARY OF REVISION/REVIEW:

Policy statement III. - Added policy definition of staff
 I.A. - Adjusted that staff must obtain approval for all outside employment and honorariums
 Added I.A.1. that staff must re-submit outside employment approval request when accepting a new position which may present a conflict of interest
 II.A.2. - Added list of state resources staff may not use in relation to outside employment
 Added Section III. on honorariums
 V.B. - Adjusted that the Human Resources Director will approve outside employment and volunteer activities for the Secretary and Assistant Secretaries
 Added Section VI. on violations

APPROVED:

BERNARD WARNER, Secretary
 Department of Corrections

 Date Signed

APPROVED
Executive Ethics Board

Date: 11-18-11



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REFERENCES:

DOC 100.100 is hereby incorporated into this policy; RCW 42.52; WAC 292-110; DOC 530.100 Volunteer Program; DOC 800.010 Ethics; DOC 800.020 Use of State Resources; DOC 850.030 Employee Relationships/Contacts With Offenders

POLICY:

- I. The staff's Appointing Authority must approve all outside employment. Outside employment is defined as providing goods or services in exchange for monetary or other material compensation, including self-employment. Outside employment does not include the sale of family or personal household goods.
- II. While the Department encourages staff to be involved in their communities through volunteer activities, the staff's Appointing Authority must approve any volunteer activity which may present a potential conflict of interest. Volunteer activities are activities performed during the staff time off work for which no monetary or material gain is expected or received. Volunteer activities include participating as a board member or consultant to boards in community affairs, committees, councils, or other similar groups.
- III. For purposes of this policy, staff includes both employees and contract staff. Some of the provisions of this policy apply only to non-represented employees. Employees represented by a bargaining unit should refer to the applicable Collective Bargaining Agreement.

DIRECTIVE:

- I. Approval Requirements
 - A. Employees must obtain Appointing Authority approval for all outside employment, all honorariums, and any volunteer activities that have a potential conflict of interest.
 1. The Human Resources Director has the delegated authority to approve/deny outside employment and volunteer activities for the Secretary and Assistant Secretaries.
 2. Employees who accept a new position which presents a potential conflict of interest with previously approved outside employment or volunteer activities must renew the approval.
 - B. Contract staff must obtain Appointing Authority approval for any volunteer activities that have a potential conflict of interest.

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- C. All changes in outside employment/volunteer activities that have a potential conflict of interest must also be reported.
- D. Approval will be documented using DOC 03-026 Outside Employment/Volunteer Activity before the employee/contract staff begins the activity.
 - 1. Staff who hold outside employment or engage in volunteer activities when starting employment with the Department must submit DOC 03-026 Outside Employment/Volunteer Activity within 30 calendar days of hire.
 - a. If the outside employment or volunteer activity is denied, the staff must choose to discontinue either the outside activity or employment with the Department.

II. Outside Employment

- A. With proper approval, employee may hold outside employment, provided the employment does not:
 - 1. Create an actual, potential, or appearance of a conflict of interest,
 - 2. Use Department resources, even on a de minimis basis, or create financial obligations for the Department. Employees may not use:
 - a. Their Department phone number or email address to send or receive messages pertaining to outside employment.
 - b. State equipment or supplies (e.g., computers, copy machines, fax machines office supplies, vehicles, and/or facility space) to support outside employment.
 - c. State time to conduct any outside business.
 - d. Any confidential information gained through their employment with the Department to support or further their outside employment.
 - 3. Interfere with the proper performance of assigned duties, and
 - 4. Conflict with the code of ethics per RCW 42.52.

B. Employees will not engage in outside employment or conduct business:

- 1. With a person or organization that provides direct or contractual services or goods to the Department, uses the services of the Department, **APPROVED** whose operations are regulated by the Department, unless:

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- a. The nature of the employment, as determined by the Department, is clearly unrelated to employee's assigned duties, and
 - b. The employee does not have, or appear to have, the opportunity to influence the relationship between the employer or organization and the Department.
2. If the employment would require or encourage disclosure of confidential information acquired as a state employee or use of such information for the gain or benefit of the employee or another person.
 3. If the employment or business relationship is with a Department employee in the chain of command.
 4. With offenders, their family members, or known associates, except as defined in DOC 530.100 Volunteer Program or the employee's position description.
- C. In certain instances, outside employment with another state agency will require prior approval by the Executive Ethics Board. Information is available on the Executive Ethics Board website at <http://ethics.wa.gov>.

III. Honorariums

- A. With proper approval, employees may accept a monetary honorarium for a one-time speech or presentation in connection with their official role.
 1. Employees may use state time and resources to prepare and conduct the approved presentation.
- B. An honorarium will not be authorized when the person/organization offering it is:
 1. Seeking or expected to seek a contract with the Department, and the employee might participate in the acceptance or terms of the contract.
 2. Regulated by the Department, and the employee may participate in the regulation.
 3. Likely to seek or oppose legislation or policy changes influencing the Department, and the employee may participate in the changes.
- C. An honorarium does not include payment for travel, lodging, or meals, which are gifts subject to RCW 42.52.150 and DOC 800.010 Ethics.

IV. Volunteer Activities

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- A. With proper approval, staff may participate in volunteer activities, provided the activity does not:
 - 1. Create an actual, potential, or appearance of a conflict of interest,
 - 2. Use Department resources or create financial obligations for the Department,
 - 3. Interfere with the proper performance of assigned duties, and
 - 4. Conflict with the code of ethics for public officers and staff per RCW 42.52.

- B. Staff may not serve as a board member or consultant if, in their official assignment with the Department, they would have any responsibility for acting on applications from the organization, or for evaluating, monitoring, or making referrals to the services provided by the organization, or if their service would conflict with the discharge of responsibilities to the Department.
 - 1. If necessary, staff will limit participation as a board member or consultant to avoid questions of conflict of interest. This limitation will include disqualifying themselves from discussion of or voting on certain matters.
 - 2. Staff may not serve in any capacity that would involve responsibility for signing applications to the Department for allocation or granting of funds.
 - 3. Staff may not actively participate in soliciting funds or grants from the Department. This restriction also applies to letters of support for funding requests.
 - 4. Exceptions must be approved by the appropriate Assistant Secretary.

V. Violations

- B. Failure to comply with the requirements of this policy may result in corrective or disciplinary action.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

DOC 03-026 Outside Employment/Volunteer Activity

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