



**Washington State
Department of Transportation**

Executive Order

Number: E 1015.00

May 1, 2000

/s/ Sid Morrison

Secretary of Transportation

Employee Memorials

Introduction:

Dedication to work zone safety has brought a very high level of awareness for worker safety to the Washington State Department of Transportation (WSDOT). The "Give 'Em a Brake" campaign shares the dangerous nature of highway construction and maintenance work with the public, with very positive results.

The recent tragic death of an employee in the line of duty brought a surge of grief and compassion within the agency. The grief calls for a healing process that is essential for the well-being of all our employees. Compassion, very much a part of the healing process, is expressed through a combination of opportunities to share with the surviving family. Limited use of agency resources to demonstrate compassion for the employee's surviving family members, as well as help the healing process for the employee's surviving co-workers, serves an agency purpose of enhancing employee morale and productivity.

It is to serve these ends that this Executive Order is written, in an effort to abide by the letter of the ethics laws as stewards of public resources, and at the same time, repair ourselves by doing right by a fellow employee. We seek that balance as we establish and support employee memorial activities.

Executive Order:

It is hereby ordered that if a WSDOT employee is killed in the line of duty, use of state resources in support of efforts to memorialize that employee will be authorized, subject to the authorities and limitations below.

1. The purpose for which state resources may be used are as follows:
 - a. Publicize memorials for the employee:

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- 1) Funeral or memorial services honoring the employee.
 - 2) Where to send condolences.
 - 3) How to make contributions to memorial funds for the employee's survivors, or other designated recipients. Contributions may be made directly, or by participating in an authorized leave donation program.
- b. Create an authorized leave donation program.

Implement through personnel and payroll actions a WSDOT-led legislative change that allows state employees the opportunity to donate the cash value of vacation leave to the account of an employee who dies in the line of duty.

2. Some examples of appropriate use of state resources for these purposes include, but are not limited to:
- Internet/Intranet announcements, information, and distribution, execution and implementation of contribution forms under the shared leave program.
 - Tributes, articles, and information about memorial opportunities in EX•PRESS, as well as in other department publications and newsletters for employees.
 - Printed bulletins for posting in work areas.
 - Limited use of employee time, communication systems and reproduction facilities reasonably necessary to accomplish any of the foregoing.
 - When approved by the Office of the Secretary, limited use of state vehicles as part of a public demonstration of support, for example by participating in a funeral procession or other memorial event.
 - When approved by the Office of the Secretary, use of state facilities and time for group sessions intended to facilitate the healing process.

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3. Some examples of uses of state resources that are not appropriate for such activities include, but are not limited to, the following:
 - Use of state paid time to attend a funeral or memorial service.
 - Use of state vehicle for the sole purpose of transporting state employees or others to such an event.
 - Requiring participation by any subordinate employee in any of the activities authorized under this Executive Order.

Basis of Authority

The 2000 Legislature has given enthusiastic support for modifications to the shared leave program, not yet codified. In addition, specific laws and rules apply:

1. Revised Code of Washington (RCW) 42.52.160 Use of persons, money, or property for private gain.

Prohibits using state resources for private gain. Does not "prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties." Allows exceptions to be made by the ethics board for occasional use of minimal cost and value (referred to as "de minimis use"), if it does not interfere with performing public duties.

2. Washington Administrative Code (WAC) 292-110-010 Use of state resources.

Further defines de minimis use.

3. Executive Ethics Board Advisory Opinion 96-04

Clarifies allowable de minimis exceptions.

Employee Resources

If you have specific questions please discuss them with your manager or supervisor. You may also contact the Olympia Service Center Audit Office for ethics information, and your organization's Human Resource Consultant for more information on shared leave.

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This document, and other rules and procedures for WSDOT employees, can be found on the Intranet at <http://wwwi.wsdot.wa.gov/docs>. Ethics information is available on the Internet at <http://www.wsdot.wa.gov/audit/>. If you do not have electronic access, your supervisor or manager will provide you with printed materials.

Alternate Formats: Persons with disabilities may request this information be prepared and supplied in alternate formats by calling collect 206-389-2839. Persons with hearing impairments may call toll free 1-800-833-6388 (Washington State Telecommunications Relay Service) and ask for 206-515-3683.

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