



**Washington State  
Department of Transportation**

/s/ Sid Morrison  
Secretary of Transportation

## Executive Order

Number: E 1002.00

Dated: September 14, 1998

### Honoraria - Ethics in Public Service

This Executive Order is issued to assist Washington State Department of Transportation (WSDOT) employees with carrying out the Honoraria laws provided in the Revised Code of Washington (RCW) 42.52, *Ethics in Public Service*, and to establish department rules to meet the law.

Following are the excerpts from the RCW that provide the foundation of this Executive Order:

- **Excerpts From RCW 42.52.010, *Definitions*:**

... (11) "*Honorarium*" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

... (10) d) ... As used in this subsection, "*reasonable expenses*" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event; ...

- **Entire Text of RCW 42.52.130, *Honoraria*:**

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

(2) An agency may not permit honoraria under the following circumstances:

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*(a) The person offering the honorarium is seeking or is reasonably expected to seek contractual relations with or a grant from the employer of the state officer or state employee, and the officer or employee is in a position to participate in the terms or the award of the contract or grant;*

*(b) The person offering the honorarium is regulated by the employer of the state officer or state employee and the officer or employee is in a position to participate in the regulation; or*

*(c) The person offering the honorarium*

*(i) is seeking or opposing or is reasonably likely to seek or oppose enactment of legislation or adoption of administrative rules or actions, or policy changes by the state officer's or state employee's agency; and*

*(ii) the officer or employee may participate in the enactment or adoption.*

#### **Audit Office Authority**

The Audit Office was designated by the Deputy Secretary for Policy as the department's central place for receiving requests for clarification of the 1994 Ethics Law.

#### **Department Rules Established**

The following rules are established to assist employees with meeting the intention of the RCW regarding honoraria.

1. **Employee Expectations**

All WSDOT Employees are expected to be aware of and follow RCW 42.52.130, Honoraria.

2. **Acceptable Honoraria**

Unless restricted by RCW 42.52.130, a department employee may accept an honorarium under the following conditions:

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- a. the honorarium is a non-monetary token\* item of appreciation for the activity undertaken, and
- b. the honorarium is of a nature or value that could not reasonably be considered to affect the employee's decision to engage in, or decline to engage in, the activity for which the honorarium is offered.

\*Examples of token honoraria which may be accepted include: mug, T-shirt, plaque, pen, box of candy, certificate, or a meal during a meeting where the WSDOT employee is a speaker.

3. Reimbursement of Expenses

A department employee may receive reimbursement for reasonable travel expenses (defined in excerpt from RCW 42.52.010.10.d above) incurred in connection with a speech, presentation, or appearance made in an official capacity. This reimbursement is not considered part of an honorarium.

Where payment or reimbursement of expenses is made by an outside entity, no claim for state payment or reimbursement of such expenses may be made.

4. Honoraria Directed to the Department

Although most honoraria is given to individual employees, in limited circumstances, the Office of the Secretary may authorize honoraria to be directed to the department.

5. Honoraria May Not be Solicited

WSDOT employees cannot solicit or otherwise recommend any type of honoraria.

6. Activities Outside the Scope of Employment

Honoraria for activities that are not in connection with the employee's official state duties are governed by the ethics law rules on outside employment and should be analyzed under the ethics law rules on gifts, RCW 42.52.140, Gifts and RCW 42.52.150, Limitations on Gifts.

RCW References

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1. RCW 42.52, Ethics in Public Service
2. RCW 42.52.130, Honoraria
3. RCW 42.52.140, Gifts
4. RCW 42.52.150, Limitations on Gifts

**Alternate Formats:** Persons with disabilities may request this information be prepared and supplied in alternate forms by calling collect (360) 664-9009. Deaf and hearing impaired people call 1-800-838-6388 (TTY relay service).

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