



POLICY NUMBER 680.400

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TITLE USE OF STATE RESOURCES

EFFECTIVE DATE: January 3, 2011

AUTHORITY: General authority delegated to the Director of the Department of Veterans Affairs, hereinafter referred to as Department, to manage and direct the Department, RCW 43.60A.040, .050, and 060.

PURPOSE: To establish guidelines regarding the proper use of state resources in general, including but not limited to, telephones, computers, electronic message systems, state cars, faxes, copiers, and the Internet.

APPLICABILITY: All staff, work studies, contractors, and volunteers within the Department who are authorized to use state resources.

DEFINITIONS:

State Resources: Including but not limited to information technology assets i.e., computer, workstations, data resources, electronic message systems, software, software licenses, SCAN service, fax machines, telephone, cellular phones and Internet connections or accounts, state contracts, documentation, copyrighted material, photocopiers, facilities, vehicle, credit cards, supplies, and the state mail service.

Electronic Message Systems (e-mail): Systems which store and transmit communications, including the Internet, voice mail systems, facsimile and imaging equipment, and all similar systems.

Internet: The connection to and use of interconnected networks in the public and private domains to access the World Wide Web, Gopher, file transfer protocols and other network resources.

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POLICY:

I. Overview of State Resources

- A. The Department's employees are required to comply with applicable statutes and regulations regarding use of state resources. Employees are encouraged to review the Executive Ethics Board list of frequently asked questions, available at: <http://ethics.wa.gov/faq.htm>.
- B. The proper stewardship of state resources, including funds, facilities, computer and electronic equipment, communication tools, other tools, property, and employees and their time, is a responsibility that all state officers and employees share. Accordingly, state employees may not use state resources for personal benefit or gain or for the benefit or gain of other individuals or outside organizations. Personal benefit or gain may include a use solely for personal convenience, or a use to avoid personal expense. Responsibility and accountability for the appropriate use of state resources ultimately rests with the individual state employee, or with the state employee who authorizes such use.
- C. Department employees who use state-owned or leased resources are responsible for using the resources in an ethical, legal and prudent manner. State resources are provided to employees to assist them in conducting the department's official business. Employees may not allow others, such as family members and friends, to use state resources under the employee's control.
- D. Employees may make an occasional but limited use of state resources only if **each** of the following conditions are met:
- 1) There is little or no cost to the state;
 - 2) Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources;
 - 3) The use does not interfere with the performance of the employee's official duties;
 - 4) The use does not disrupt or distract from the conduct of state business due to volume or frequency;
 - 5) The use does not disrupt other state employees and does not obligate them to make a personal use of state resources; **and**
 - 6) The use does not compromise the security or integrity of state property, information, or software.
- E. Employees and officials are cautioned that personal use of state resources should never interfere with another state official or employee, or obligate another employee to make personal use of state resources. In addition, state

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employees have an affirmative duty to ensure that any personal use of state resources is the most efficient in terms of time and resources.

- F. Occasional but limited personal use of these resources is permitted in accordance with all other sections of this policy, RCW 42.52 and WAC 292.110. The Department may eliminate or restrict this occasional but limited use if it determines an employee has misused state resources.
- G. State regulations prohibit employees from using state resources, such as cellular phones or scan cards, for personal purposes and then reimbursing the state for the cost incurred.
- H. The state Constitution, state and federal laws, and the Ethics in Public Service Act strictly prohibit certain private activity and certain uses of state resources. Any use of state resources to support such activity clearly undermines public confidence in state government and reflects negatively on state employees generally. This rule explicitly prohibits at all times the following private uses of state resources.
 - 1) Any use for the purpose of conducting an outside business or private employment;
 - 2) Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to: A private business, a nonprofit organization, or a political party (unless provided for by law or authorized by an agency head or designee);
 - 3) Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2);
 - 4) Any use for the purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head. Such a use of state resources is specifically prohibited by RCW 42.17.190, subject to the exceptions in RCW 42.17.190(3);
 - 5) Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy; and
 - 6) Any private use of any state property that has been removed from state facilities or other official duty stations, even if there is no cost to the state.
- I. Department employees covered under the Washington Federation of State Employees (WFSE) should refer to the Collective Bargaining Agreement. For Department

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employees covered under the Coalition, refer to the Collective Bargaining Agreement.

II. Cellular Phones

- A. Cellular phones are provided to Department employees who have a demonstrated business need for them. Occasional but limited personal use of these resources is permitted in accordance with all other sections of this policy, RCW 42.52 and WAC 292.110. The Department may eliminate or restrict this occasional but limited use if it determines an employee has misused state resources.
- B. Because cellular transmissions are not secure, employees should refrain from using them to relay confidential information.

III. State Information Technology Resources

- A. Department owned information technology resources including, but not limited to; computers, software, telephones, fax machines, scanners, electronic message systems and other information technology resources, are provided to employees for the conduct of department business. Occasional but limited personal use of these resources is permitted in accordance with all other sections of this policy, RCW 42.52 and WAC 292.110. The Department may eliminate or restrict this occasional but limited use if it determines an employee has misused state resources.
- B. Department owned information technology resources are not to be used to promote discrimination on the basis of race, creed, color, gender, religion, handicap, or sexual preference; to sexually harass others; to infringe copyrights; to advance personal political or religious beliefs; or to engage in other unlawful activity.

IV. Review of Electronic Messages

- A. The Department does not regularly monitor electronic messages, such as e-mail, voice messages, or transmissions over the Internet; however, the Department may engage in the following:
 - 1. The maintenance and operation of electronic message systems may result in observation of random messages.
 - 2. Managers and supervisors may access data under employees' control to conduct Department business or to prevent misuse.
 - 3. Managers and supervisors with Appointing Authority's approval may monitor messages during the course of

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investigating improper or illegal activity.

4. The Department may monitor and restrict employee use of the Internet in accordance with DVA Policy 240.520.

B. Electronic message systems may not be secure. Employees should be aware of potential electronic messaging security problems before transmitting private or confidential messages. Disclosure may occur intentionally or inadvertently when an unauthorized user gains access to electronic messages. Disclosure may occur when messages are forwarded to unauthorized users, directed to the wrong recipient or printed in a common area where others can read them. All data and information on the computer is the property of the State.

V. Sanctions

A. Violations of this policy may result in disciplinary action up to and including termination of employment.

REVIEW: This policy shall be reviewed every five years.

REFERENCES: RCW 42.52 - Ethics in Public Service
WAC 292-110 - Executive Ethics Board, Agency Substantive Rules, WFSE CBA, Article 39.4.Coalition CBA 38.3
DVA IT Policies and Procedures # 240.110 through 240.620

SUPERSESSON DVA Policy 680.400 dated May 31, 2006; Department Policy #13-01 Electronic Message Systems

ATTACHMENTS: None

John E. Lee, Director

Date

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