

# Ethics Tip of the Month

## May 2008



### **Conducting an outside business in the work place – just say “No”**

RCW 42.52.160, Use of persons, money or property for private gain, states in pertinent part:

- (1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

Before you feel guilty about sending the occasional personal e-mail or using the phone to check on your family, know that the ethics board has adopted rules providing exceptions to this section for occasional or de minimis use if the activity does not result in interference with the proper performance of official duties.

**What is “de minimis” use of state resources?** A de minimis (minimal) use is an infrequent or occasional use that results in little or no actual cost to the state. An occasional brief local phone call to make a medical appointment or check on a loved one is an example of allowable de minimis use of state resources. The cost of a brief local phone call is small and not likely to interfere with your job. The Executive Ethics Board has adopted guidelines for the exceptions to the “no personal use” rule.

Certain uses of state resources are prohibited **regardless** of whether there is little or no cost to the state, it’s brief/infrequent and the use does not interfere with the performance of official duties. **These uses are absolutely not allowed - not even if you are on break or it is after hours.** Any use for the purpose of conducting an outside business, whether or not for profit is **strictly prohibited**<sup>1</sup> That means you can’t even bring catalogs that have items in them for sale and leave them in a break room.

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<sup>1</sup> Many organizations allow certain fund-raising activities for internal activities or external charities and de minimis use of state resources may be authorized for these activities by your agency. Refer to your agency’s use of state resources or organizational effectiveness policy for clarification on these activities.