

# All That's News From the Executive Ethics Board

Summer, 2006

## EXECUTIVE ETHICS BOARD

- Trish Akana, Chair*
- Evelyn Yenson, Vice-Chair*
- Paul Zellinsky, Member*
- Judy Golberg, Member*
- Neil Gorrell, Member*

## EXECUTIVE ETHICS BOARD STAFF

- Susan Harris, Executive Director*
- Ruthann Bryant, Administrative Officer*
- Sue Jones, Investigator*
- Nancy Lewin, Investigator*

## Upcoming Board Meeting

**September 8, 2006**

For times and location of the meetings, go to [www.ethics.wa.gov](http://www.ethics.wa.gov)

## Board Issues, Amends Opinions

### Amending Advisory Opinion 01-02---Membership in Non-State Organizations That are Affected by State Agency Decisions

At its April 14, 2006 meeting the Board amended Advisory Opinion 01-02. The Board clarified that just being a card-carrying member of an organization who transacted business with the state was not enough to create a conflict of interest. The Board stated that in order for a conflict to exist, the member must play a significant role in the organization, such as having voting rights or having meaningful input into business decisions, and participate in transactions involving the state.



### Electric Vehicle

After much discussion and after hearing from stakeholders, the Board agreed that a state employee would not violate the Ethics in Public Service Act when state resources (electricity) were used to plug in a personal electric vehicle used for commuting to and from work so long as the use was in compliance with the agency's policy, and that policy complied with the Commute Trip Reduction statutes. Those statutes allow state resources to be used to assist employees if alternative modes of transportation are used to commute to and from work, and if the assistance is part of the agency's Commute Trip Reduction Plan. (Frequently Asked Question 8A)

## How to Reach Us

### Via mail:

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Olympia WA 98504-0149

### Phone:

(360) 664-0871

### Fax:

(360) 586-3955

### E-mail:

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### Internet:

[www.ethics.wa.gov](http://www.ethics.wa.gov)

**DID YOU KNOW that your agency may have an ethics advisor that can answer your questions? Contact your HR division.**



**DID YOU KNOW that, with limitations, state agencies may allow state officers and employees to use travel benefits earned while on official travel?**

## Enforcement Activity

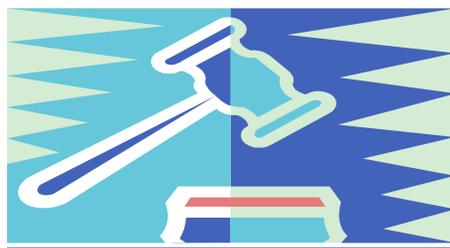
On April 14, 2006, the Board held an enforcement hearing to determine if Lisa Bird Rolfs, a former employee of the Department of Retirement Systems, used state resources when she used her state computer to send emails to all employees of the Department of Retirement Systems related to the business of the Washington Public Employees Association (Association.) Administrative Law Judge Cindy Burdue presided over the hearing.

Staff argued that Ms. Rolfs violated the Ethics in Public Service Act when she sent out the email, causing other employees to violate the law when they read and responded to the email. The email was not considered administration, maintenance or negotiation of the collective bargaining agreement.

Ms. Rolfs argued that as the job representative for the Association, she was entitled to send the emails which she believed was within the guidelines of "maintenance" or "administration" of the collective bargaining agreement.

Following the hearing, Judge Burdue rendered her decision and issued an Initial Order, stating that Ms. Rolfs violated RCW 42.52.160 and WAC 292-110-010. Judge Burdue then imposed a penalty of \$200. The order is under review by the Board. In addition, the Respondent may petition Superior Court for Judicial Review of the Board's decision.

## Other Case Decisions



In a default order, the Board imposed a penalty of \$1,500 to an employee for illegally using her computer for personal reasons. The employee's computer contained hundreds of personal items, such as photographs of her family and friends, graphics for her daughter's cheerleading interests and graphics for the school's football team. The Respondent defaulted when she failed to "answer" the charges against her. When this happens, the Board can resolve the case without further participation of the Respondent. The Board determined that the Respondent violated the Ethics in Public Service Act and imposed the penalty. Once a Final Order has been issued, the Respondent has 10 days to ask the Board to reconsider its decision or may petition Superior Court for Judicial Review of the Board's decision.

**DID YOU KNOW** that limited partnership, i.e., paying dues and receiving an annual newsletter, is not an interest in the organization that clearly conflicts with the discharge of a state officer's or state employee's official duties?

**DID YOU KNOW** that if a state officer or state employee has access to confidential information as a result of state employment, this information may not be disclosed to or used for the benefit of a spouse or his or her business interests?

**DID YOU KNOW** that using state resources to assist a campaign or ballot measure is strictly prohibited?



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## Board Holds Retreat

On July 14, the Board held its annual retreat to review its Strategic Plan and to discuss potential policy and procedure changes. The Updated Strategic Plan will be available after the Board approves the changes at its September 8, 2006 meeting.

The Board will be reviewing rules and advisory opinions to determine if any updating is necessary. Rules review is an ongoing process; anyone with specific questions or issues is invited to share their thoughts with the Executive Director.

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## Training

Our training program continues. Staff has conducted numerous training sessions for executive management teams, and will continue to be available to do so. If any agency is interested in training its executive management team, please contact EEB staff.

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## DOP Training

In addition, The Department of Personnel continues to include ethics in their curriculum:

HELP II: Ethical Leadership and Decision Making (01-09-M504)  
Ethics in State Government (01-14-EPF2)  
See link below for further details on DOP training  
<http://www.dop.wa.gov/employees/traininganddevelopment/>.



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## Other Training News

In August, the updated training manual will be available on line. This update is the first step in the overall attempt to provide all training materials on CD.

**DID YOU KNOW** that selling Avon (even during breaks and lunch) in state facilities is prohibited?



**DID YOU KNOW** that selling Girl Scout Cookies in state facilities may not be prohibited?

**DID YOU KNOW** personal information stored on your work computer constitutes "public records?"

**DID YOU KNOW** that the EEB staff is available to answer your questions? Call 360-664-0871 for help!

Educational brochures have also been developed. They are available electronically or hard copy upon request. To order your brochures, contact Ruthann Bryant at 360-664-0871.

**New Employee Brochure**  
**Executive Ethics Board General Brochure**  
**Complaint Brochure**  
**Gift Brochure**  
**Post State Employment Brochure**



## 2006 Ethics Conference Huge Success!

On June 15, 2006, the EEB, along with partners Seattle Ethics and Elections Commission, King County Board of Ethics, the Public Disclosure Commission, the Commission on Judicial Conduct, the Legislative Ethics Board and the Office of the Attorney General hosted a statewide ethics conference. There were many interesting breakout sessions for the attendees to choose from, including information on whistleblower



complaints, measuring success (GMAP), how Boards and Commissions operate, lobbying in the 21<sup>st</sup> Century, and more. There are a limited number of handouts still available. If you'd like a set, please contact Ruthann Bryant at 360-664-0871.

# ETHICS WORD SEARCH

## Word List

ASSIST  
 AUTHORITY  
 BOARD  
 CONCEAL  
 CONFIDENTIAL  
 DISCIPLINARY ACTION  
 EFFECTIVENESS  
 FINDING  
 FORMER EMPLOYEE  
 HEARING  
 HONORARIA  
 INCOMPATIBLE  
 JURISDICTION  
 PARTICIPATE  
 POLITICAL  
 PRIVILEGE  
 RESPONSIBILITY  
 SUBPOENA  
 TRANSACTION  
 VALUE

A	T	X	G	L	P	I	A	L	R	Y	F	M	D	L	P	F	E	S	A	M
P	I	N	C	O	M	P	A	T	I	B	L	E	N	D	O	F	Q	K	N	O
A	B	S	J	H	Y	C	F	O	R	M	E	R	E	M	P	L	O	Y	E	E
R	C	W	M	P	I	L	Z	Y	W	B	M	L	I	B	H	E	P	G	B	H
T	K	F	Y	T	N	G	A	C	Q	U	A	C	A	N	O	N	M	R	P	T
I	E	V	I	X	V	A	L	U	E	I	L	G	J	I	N	A	S	L	R	B
C	D	L	P	A	S	S	I	S	T	F	A	V	P	J	O	D	R	R	I	R
I	O	T	E	Y	N	U	H	N	P	H	G	E	X	O	R	C	T	D	V	S
P	W	J	U	H	K	R	E	R	V	C	O	N	C	E	A	L	T	C	I	S
A	E	S	W	E	T	D	O	W	J	I	I	R	F	A	R	C	R	W	L	E
T	K	O	F	T	I	O	N	A	P	A	Z	E	I	M	I	N	A	K	E	N
E	L	I	G	F	I	N	D	I	N	G	D	H	X	T	A	H	N	A	G	E
G	E	H	N	K	S	V	X	E	I	X	T	C	F	K	Y	D	S	H	E	V
F	I	O	J	A	R	N	O	P	H	N	L	J	G	S	E	B	A	E	D	I
D	C	L	R	E	S	P	O	N	S	I	B	I	L	I	T	Y	C	A	C	T
M	H	I	E	O	B	M	U	Y	M	A	E	N	J	B	F	Y	T	R	E	C
V	B	P	J	U	R	I	S	D	I	C	T	I	O	N	T	R	I	I	S	E
A	D	I	S	C	I	P	L	I	N	A	R	Y	A	C	T	I	O	N	U	F
N	U	O	A	D	F	B	C	Z	S	H	A	W	K	A	B	A	N	G	Z	F
C	N	D	W	I	P	E	D	D	O	Z	E	D	N	J	L	T	S	R	R	E

# Visit our website!

## Take the Ethics Challenge!

Visit the Executive Ethics Board's website and take the Ethics Challenge! See how much you know about the ethics laws.

[www.ethics.wa.gov](http://www.ethics.wa.gov)

Also included on the website:

Advisory Opinions

Frequently Asked Questions

Statute and Rules

Reasonable Cause Determinations