

Ethics in Public Service Act

RCW 42.52.110



Compensation for Official Duties or Nonperformance

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RCW 42.52.110, Compensation for official duties or nonperformance, states:

No state officer or state employee may, directly or indirectly, ask for or give or receive or agree to receive any compensation, gift, reward, or gratuity from a source for performing or omitting or deferring the performance of any official duty, unless otherwise authorized by law except: (1) The state of Washington; or (2) in the case of officers or employees of institutions of higher education or of the Spokane intercollegiate research and technology institute, a governmental entity, an agency or instrumentality of a governmental entity, or a nonprofit corporation organized for the benefit and support of the state employee's agency or other state agencies pursuant to an agreement with the state employee's agency.

What does this mean?

This rule underlines that you cannot get “extra” or outside compensation for your official duties or for not doing your duties. No state employee may, directly or indirectly, ask for or receive any compensation, gift, reward or gratuity from a source for performing or not performing any official duty unless otherwise authorized by law. There is an exception to this RCW. If you work for an institution of higher education and the additional compensation for your official duties is from one of the following, you are exempt:

- A governmental entity;
- An agency or instrumentality of a government entity;
- A nonprofit organized for the benefit and support of the institution; or
- A state agency in an agreement with the institution.

Scenarios

1. Bertha, a student employee, is responsible for issuing parking citations. Her basket weaving instructor jokingly tells her that he will introduce her to a major basket weaving employer if he doesn't receive any citations this quarter. He often parks in the visitor reserved slots. She overlooks these parking violations. Violation?



2. As a liquor store clerk, you process credit card payments for purchases. A major bank sends you a \$50 reward for returning a card that has been revoked. Can you keep the reward?

