Washington State Department of Social & Health Services

Transforming lives

Administrative Policy No. 18.64

Subject:	**Standards of Ethical Conduct**
Information Contact:	DSHS Human Resources Division
Authorizing Source:	Chapter 42.52 RCW Ethics in Public Service RCW 9A.80.010 Official Misconduct
Effective Date:	July 1, 2005
Revised:	February 7, 2024 [1] Housekeeping 2/26/24 [2] Housekeeping 3/7/24 [3] Housekeeping 7/30/25 [4] Housekeeping 6/25/2026
Approved By:	**Original approved by Wendy Long** Senior Director, Human Resources Division

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Purpose

To establish standards and guidelines for ethical employee conduct.

Scope

This policy applies to all Department of Social and Health Services (DSHS) employees, contractors, and volunteers.

Additional Guidance

DSHS administrative policy 5.01 safeguarding confidential information
DSHS administrative policy 18.17 relationships and the reporting structure
DSHS administrative policy 18.18 outside employment
DSHS administrative policy 18.60 employee relationships with clients, contracted service providers, and outside organizations
DSHS administrative policy 18.66 discrimination, harassment, and other inappropriate behaviors
DSHS administrative policy 18.91 use of resources
RCW 42.52.140 gifts
RCW 42.52.150 limitation on gifts

Definitions

Beneficial interest: A financial interest in a contract, sale, lease, purchase, or grant to which an individual subject to chapter 42.52 RCW is not a party, but is an owner of an entity that is a party. An ownership interest of less than 10 percent of an entity is not a beneficial interest. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

Honorarium: 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.

Regulatory agency: Any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

Section 6 employee: An employee whose duties include participation in either regulatory matters, contractual matters associated with the acquisition of goods or services, or both. Such employees are subject to the provisions of RCW 42.52.150(6).

Policy

A. Required standards of behavior and conduct

All DSHS employees, contractors, and volunteers are required to perform their duties and responsibilities in a manner that maintains standards of behavior promoting public trust, faith, and confidence as described below:

1. Serve the public with respect, concern, courtesy, and responsiveness, recognizing that service to the public is the primary mission of state government.

2. Promote an environment of public trust free from fraud, abuse of authority, and misuse of public property.

3. Strengthen public confidence in the integrity of state government by demonstrating the highest standards of personal integrity, fairness, honesty, and compliance with law, rules, regulations, and DSHS policies.

4. Interact with the public, DSHS staff, and other state employees with respect, concern, and responsiveness.

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5. Create a work environment free from all forms of discrimination and sexual/workplace harassment. This includes but is not limited to:
   a. Following and abiding by DSHS policies regarding nondiscrimination, sexual harassment, workplace harassment, and client rights. (For example, DSHS administrative policy 18.66 discrimination, harassment, and other inappropriate behaviors.)
   b. Not using the employee's position for the purposes of establishing or promoting personal or financial relationships with clients. (For example, DSHS administrative policy 18.60 employee relationships with clients, contracted service providers, and outside organizations.)
   c. Creating an environment free from intimidation, retaliation, hostility, or unreasonable interference with an individual's work performance.

6. Comply with this policy. Failure to comply with this policy may result in disciplinary action up to and including dismissal.

B. Specifically prohibited employee actions

A DSHS employee must not:

1. Make statements during their official duties that the employee knows or should have reasonable cause to believe to be untruthful.

2. Engage in any employment, business, or professional activity that would represent a conflict of interest. (See DSHS administrative policies 18.17 relationships and reporting structure and 18.18 outside employment.)

3. Personally, or financially benefit from any contract, sale, lease, purchase, or grant made under the employee's supervision or control. RCW 42.52.030.

4. Use or create the appearance of using the employee's position for the personal gain or advantage of the employee or others. This includes, but is not limited to, using the employee's position to obtain special privileges or exemptions for the employee or others.

5. Outside of official duties, assist another person in a transaction involving the state:
   a. In which the employee participated as a state employee; or
   b. That was the official responsibility of the employee for the past two years.

6. Accept employment or engage in any business or professional activity that

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requires the employee to disclose confidential information about a client. See DSHS administrative policy 5.01 safeguarding confidential information.

7. Use or access DSHS information for personal gain.

8. Disclose confidential information to any person not authorized to receive the information. See DSHS administrative policy 5.01 safeguarding confidential information.

9. Conceal records required to be released under chapter 42.17A RCW (campaign finances, lobbying, and records) or chapter 42.56 RCW (public records).

10. Ask for, give, or receive any compensation, gift, reward, or gratuity in the performance of the employee's official duties, unless otherwise authorized by DSHS. See RCW 42.52.150.

11. Receive anything of economic value under any contract or grant outside of the employee's official duties, unless the contract or grant is:
    a. Presented in good faith and actually performed
    b. Not within the course of the employee's official duties or under the employee's supervision
    c. Not prohibited by laws or rules governing outside employment
    d. Neither performed for nor compensated by any person from whom an employee would be prohibited from receiving a gift
    e. Not one created or authorized by the employee in the performance of the employee's official duties
    f. Would not require unauthorized disclosure of confidential information

12. Under RCW 42.52.120, in addition to satisfying the requirements above, an employee may have a beneficial interest in a grant or contract only if:
    a. The contract or grant is awarded as a result of an open and competitive bidding process in which more than one bid or grant application was received.
    b. The contract or grant is awarded as a result of an open and competitive bidding or selection process in which the employee's bid or proposal was the only bid received, and the employee was advised by the state executive ethics board prior to execution of the contract or grant that there would be no conflict in the discharge of the employee's duties.
    c. The process for awarding the contract or issuing the grant is not open and competitive, but the employee has been advised by the state executive ethics board that the contract or grant would not be in conflict in the discharge of the employee's duties.

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13. Receive any honorarium, pursuant to RCW 42.52.130.

14. Ask for or accept any gift, gratuity, or favor if there is reason to believe this compensation would influence the employee's action or judgment.

The following are examples of unsolicited items that may be accepted by employees who are **not** "section 6 employees." (See also RCW 42.52.150)

a. Flowers or plants
b. Awards of appreciation in the form of a plaque or trophy
c. Informational material, publications, or subscriptions related to the recipient's performance of official duties
d. Food and beverages consumed at a reception where attendance is related to an employee's official duties
e. Reasonable reimbursement for expenses incurred for a speech, presentation, appearance, or trade mission made in an official capacity
f. Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a nonprofit professional, educational or trade association, or charitable institution

C. Section 6 employee

1. The only acceptable items or gifts a section 6 employee may accept from a person regulated by DSHS or seeking to provide goods and services to DSHS is stipulated RCW 42.52.150. Items include:
   a. Advertising and promotional items of nominal value
   b. Plaques and awards of appreciation
   c. Unsolicited items received for the purpose of evaluation, if of no interest
   d. Publications related to official duties
   e. Food and beverages at hosted receptions related to official duties
      i. A hosted reception is defined by the ethics board as a social event involving a diverse group of people, some of whom are regulated by the agency and others, who are not, and some who provide goods or services to the agency and some who do not. It does not involve a sit-down meal.
      ii. A meal is interpreted by the ethics board as an event where the guests are expected to sit down to eat.
   f. Admission to a charitable event
   g. Items from family and friends if clear purpose was not to influence
   h. Items related to the outside business of the recipient which are customary and not related to the recipient's performance of official

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duties.

i. Items exchanged at social events by co-workers
j. Items permitted by law
k. Items returned by the recipient to the donor or donated to a charitable organization.
l. Campaign contributions reported under Title 29B RCW
m. Discounts available to the individual as a member of a broad-based group (for example, discounts on gym memberships, phone services for state employees).

2. A section 6 employee **is prohibited** from accepting the following:
   a. Flowers;
   b. Gifts from dignitaries;
   c. Expenses (travel, room, and meals) for a speech or seminar; and
   d. Enrollment/course fees and expenses for attending seminars and educational programs.

D. Former employees' responsibilities

1. Upon termination of employment with the state, an employee is subject to the provisions of RCW 42.52.080 and 42.52.090 (employment or rendering assistance after public service).

2. To avoid conflicts of interest, a current employee who contemplates doing business with the state after leaving state employment or a former employee who wishes to engage in such business activity:
   a. Should review RCW 42.52.080 and 42.52.090 and related statutes; and
   b. Seek guidance from DSHS's ethics advisor or the state executive ethics board.
   c. The employee or former employee may also seek their own legal advice if desired.

E. Failure to comply

1. The state executive ethics board is empowered to investigate and enforce the ethics law when they determine there have been violations by current and past employees.
   a. The state executive ethics board may impose sanctions, including monetary penalties whether or not DSHS takes action against the employee.
   b. Monetary penalties may be up to $5,000 per ethics violation, or 3-times the economic value of anything sought or received in violation of ethics

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law or rules, whichever is greater.

2. If an employee violates ethics laws, decisions of the state executive ethics board, or this policy, DSHS will take appropriate disciplinary action, up to and including dismissal.

F. DSHS ethics advisor

DSHS's human resources division (HRD) senior director or designee is DSHS's central point of contact for advice about ethical issues. The HRD senior director is DSHS's delegated authority for reporting complaints about alleged violations of chapter 42.52 RCW – ethics in public service to the state executive ethics board.

G. Ethics training

1. All DSHS employees will receive ethics training upon being hired, and then every 3 years.

2. DSHS HRD is DSHS's central point of contact for:
   a. Providing the required training for all employees; and
   b. Tracking employee participation in the required training under DSHS HRD development plan.

[1] Link updates 2024 SharePoint move.
[2] Updated 18.84 to 18.64 in header.
[3] Update to match changes to the executive ethics law, effective July 27, 2025.
[4] Under B.10 to remove a reference to RCW 42.52.140, which has been repealed. The second housekeeping request is to Section C.1.k. to remove references to returning gifts "within 30 days" for section 6 employees, as the 30-day provision, as it does not apply.

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