

## Administrative Policy No. 18.91

<b>Subject:</b>	Use of Resources
<b>Information Contact:</b>	DSHS Ethics Advisor, Human Resources Division
<b>Authorizing Source:</b>	Chapter 42.52 RCW WAC 292-110-010
<b>Effective Date:</b>	May 24, 2022
<b>Revised:</b>	
<b>Approved By:</b>	<b><u>Original signed by Lori Manning</u></b> Interim Senior Director, Human Resources Division

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### Purpose

To establish standards and guidelines for the use of state resources consistent with state law. In particular, this policy addresses uses of resources that the Executive Ethics Board has determined may only be allowed if specifically authorized in an agency policy.

Except as part of official duties, state law generally prohibits the use of state resources for the private benefit or gain of an employee, or another.

### Scope

This policy applies to all Department of Social and Health Services employees, interns, and volunteers. All DSHS employees, interns, and volunteers must be familiar with this policy and related policies. If any provision of this policy is found to be in conflict with a provision of another DSHS policy, the more restrictive provision will apply unless otherwise specified.

### Additional Guidance

- [Executive Ethics Board](#)
- Training in the Learning Center
- Administrative policy
  - [9.09 DSHS employee wellness program](#)

- [15.15 Use of electronic messaging systems and the internet](#)

## Policy Requirements

All employees are responsible for ensuring their use of state resources is in accordance with this policy, the Ethics in Public Service Act, chapter 42.52 RCW *et. seq.*, and WAC 292-110-010 (Use of State Resources Rule). This policy applies to the use of any state resources including all funds, facilities, tools, property, equipment, employees' and their work time.

### A. Permitted uses related to state employment

Employees may use state resources to perform their official duties, for activities reasonably related to their state employment, as follows:

- a. Official duties. Employees may use state resources reasonably related to the performance of assigned duties.
- b. Activities reasonably related to state employment. Use of state resources for such activities is subject to management discretion and business need. Examples of such uses may include:
  - i. Training and career development, in accordance with [Administrative Policy 18.34](#).
  - ii. Accessing state-provided benefits, such as health care benefits, deferred compensation retirement, insurance, and the employee assistance program.
  - iii. Searching and applying for state jobs, including taking an exam or attending an interview.
- c. Charitable activities. Such use must be in accordance with [Administrative Policy 18.55 Combined Fund Drive](#).
- d. Employee recognition. Examples include birthday, retirement, or similar celebrations. Such use should be reasonably limited to minimize the use of state resources.
- e. Organizational effectiveness. Activities that support organizational effectiveness may include things such as an offsite meeting, team building exercise, or holiday events. This can also include other activities that may support a collegial work environment, such as expressions of support for employees who may be experiencing difficulties. Any use of resources in support of organizational effectiveness must be limited to minimize the use of state resources.  
Prior approval must be obtained in writing from the appointing authority for:
  - i. Any use that is expected to utilize more than a reasonable amount of work time in a week; or
  - ii. Any expenditure of state funds.
- f. Intermittent state or agency sponsored health activities. Examples include diabetes screenings or blood donation. This may also include participation in the DSHS

employee wellness program, in accordance with [Administrative Policy 9.09](#).

## B. Permitted Personal Use

Employees may make occasional and limited personal use of state resources, otherwise referred to as “de minimis use.” Use is considered de minimis only when all of the following conditions are met:

- a. There is little or no cost to the state;
- b. Any use is brief;
- c. Any use occurs infrequently;
- d. The use does not interfere with the performance of any state officer's or employee's official duties;
- e. The use does not compromise the security or integrity of state property, information systems, or software;
- f. The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain;
- g. The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group, unless specifically authorized in state law or rule, such as the Washington State combined fund drive; and
- h. The use is not otherwise prohibited (see “Prohibited Uses, below”)

## C. Prohibited Uses

Any use that is not allowed under section A or B of this policy is generally prohibited. **In addition, the following uses are prohibited even if it would otherwise be considered a de minimis personal use:**

- a. Any use for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain.
- b. Any use for supporting, promoting the interests of, or soliciting for an outside organization or group, unless specifically authorized in state law or rule, such as the Washington State combined fund drive.
- c. Any use of state resources to create, access, post, send, print, or store pornographic material, unless it is necessary for the performance of the employee's assigned duties (e.g., when necessary for conducting an investigation).
- d. Any use of state resources for gambling activities.
- e. Any use of state resources to create, transmit, or store messages that contain or promote unlawful discrimination or other material that would violate DSHS policies (e.g., [Administrative Policy 18.66](#), which prohibits harassment and discrimination).
- f. Any use prohibited as outlined in [Administrative Policy 15.15 use of electronic messaging systems and the internet](#), such as social media and transmitting

confidential information over the internet.

- g. Any use prohibited as outlined in [Administrative Policy 18.68 employee participation in political activities](#).
- h. Any use of state resources to request public records as outlined in [Administrative Policy 05.02](#).

#### **D. Use of Resources for Employee Union Activity**

Collective bargaining agreements (CBAs) covering DSHS positions may contain provisions governing the use of resources for union-related business and activity, including the use of leave or work time and use of state facilities for union activity. Employees should refer to the CBA covering their position for more information. Generally, the CBAs limit the use of state resources to de minimis use in the following areas:

- Employees may use their DSHS work phone and/or email to request union representation.
- Union representatives and stewards may use state resources to communicate with the affected employee(s) and/or DSHS (the employer) for the purpose of administration of the CBA, such as transmittal of grievances and responses.

The use of state resources is not allowed for union organizing, internal union business, advocating for or against the union in an election, or any other prohibited purpose.

The use of state facilities for union meetings must follow the request and approval process for that facility, in accordance with [Administrative Policy 14.24](#).

#### **E. Violation of Policy**

A DSHS employee, intern or volunteer violating this policy may be subject to disciplinary action up to and including dismissal. Additionally, violations of this policy may also constitute a violation of the state law governing ethics for state employees, which can potentially result in a monetary penalty by the Executive Ethics Board.