

ETHICS

Policy Number:	GOV 103
Effective Date:	Approved by the Eastern Washington State Historical Society (EWSHS) Board of Trustees on September 7, 2022
Application:	Applies to all employees, volunteers (including trustees of the museum and foundation), and contractors of the EWSHS (hereinafter called stakeholders).
History:	Updated with a new number. This replaces BP 120 policy which replaced HR #104.

Article I PURPOSE

To provide direction to EWSHS stakeholders, trustees, staff, and volunteers, in making ethical choices, acting in a manner that demonstrates high ethical standards and complying with the provisions of the Washington State Ethics in Public Service Act (RCW 42.52).

Article II DEFINITIONS

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures.

- 2.1 Confidential Information: information that is not releasable upon public demand or made confidential by law.
- 2.2 Employee: an individual who is employed by EWSHS.
- 2.2 Family Member: individual's spouse or domestic partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half-sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half-sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person. (From RCW 42.17.020 cross reference RCW 42.52.010).
- 2.3 Gift: anything of economic value for which no consideration is given.
- 2.4 Honorarium: money or thing of value offered to an employee for a speech, appearance, article, or similar item or activity in connection with the employee's official role.
- 2.5 Officer: Includes members of the board of trustees and advisory committees, and supervisory staff.

- 2.6 Volunteer: a person who performs any assigned or authorized duties for EWSHS, by their own free choice. Generally, the volunteer does not receive anything of value in exchange for the services, not money, trade of products or services, or anything of monetary value.

Article III POLICY STATEMENT

- 3.1 EWSHS serves the public interest as it relates to the history, visual arts, and cultures of the State of Washington and the Inland Northwest. EWSHS exists to serve the public interest and must always act in such a way as to maintain public confidence and trust.
- 3.2 EWSHS is committed to standards of performance which comply with Washington State's laws and establish a minimum guideline for ethical conduct. This procedure is intended to provide information about some of the more popular and relevant ethics topics at EWSHS and does not include all possible ethics topics. Ensuring ethical conduct in the workplace requires that all know what ethical conduct is and then fully embrace this conduct in every aspect of our work.
- 3.3 The Ethics in Public Service law, RCW 42.52, and related regulations apply to all state employees, state officers, and volunteers. Individuals must read and understand this Policy. Each employee is also expected to know and understand that they must conduct themselves and their business affairs in a manner that is consistent with EWSHS values and ethical standards, as well as the Ethics Act.

Article IV PERSONAL USE OF EWSHS RESOURCES

If any employee wishes to make personal use of a EWSHS resource, they must follow the Use of State Resources Rule (WAC 292-110-010) and they cannot use the resource for prohibited uses. No employee may use their official position to secure special privileges for either themselves or another person, nor may receive compensation from any person or entity except the State of Washington for performing their official duties.

- 4.1 An employee may make an occasional but limited use of state resources only if each of the following conditions are met.
- 4.1.1 There is little or no cost to the state.
 - 4.1.2 Any use is brief in duration, occurs infrequently, and is the most effective use of time or resources.
 - 4.1.3 The use does not interfere with the performance of the officer's or employee's official duties.
 - 4.1.4 The use does not disrupt or distract from the conduct of state business due to volume or frequency.
 - 4.1.5 The use does not disrupt other state employees and does not obligate them to make a personal use of state resources; and

- 4.1.6 The use does not compromise the security or integrity of state property, information, or software.

**Article V
PROHIBITED USES OF EWSHS RESOURCES**

Certain uses of state resources are strictly prohibited. Prohibited uses include, but are not limited to:

- 5.1 Any use for the purpose of conducting an outside business or private employment.
- 5.2 Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including but not limited to: A private business, a nonprofit organization, or a political party (unless provided for by law or authorized by an agency head or designee).
- 5.3 Any use for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such use of state resources is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2).
- 5.4 Lobbying: EWSHS resources may only be used to provide information on matters pertaining to official agency business or advocate for the official position or interest of the agency subject to the provisions in RCW 42.17A.635. This may include funding requests for the agency.
- 5.5 Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy.
- 5.6 Any private use of any state property that has been removed from state facilities or other duty stations, even if there is no cost to the state; and
- 5.7 Illegal activities or activities incompatible with a professional workplace, e.g. accessing adult oriented sites or gambling on the Internet.

**Article VI
CONFIDENTIAL INFORMATION**

- 6.1 No employee may accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce them to make an unauthorized disclosure of confidential information acquired through the employee's official position
- 6.2 No employee, officer, or volunteer may disclose confidential information to any person not entitled or authorized to receive this information.

**ARTICLE VII
SPECIAL PRIVILEGES**

Except as required to perform duties within the scope of employment, no employee may use their position to secure special privileges or exemptions for themselves, family members, or other persons.

ARTICLE VIII CONFLICTS OF INTEREST

- 8.1 An employee, except as provided in RCW 42.52.030(2) may not have a beneficial interest, financial or otherwise, direct or indirect, or engage in a business, transaction or professional activity, or incur an obligation, that is in conflict with the proper discharge of the employee's official duties (RCW 42.52.020).
- 8.2 No EWSHS officer or employee, except as provided in RCW 42.52.030(2), may have a beneficial interest, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly a reward from any other person beneficially interested in the contract, sale, lease, purchase or grant.
- 8.3 Except in the course of official duties, employees may not assist others in a transaction involving EWSHS. RCW 42.52.040 prohibits:
 - 8.3.1 An employee from assisting another person directly or indirectly, whether or not for compensation, in a transaction if:
 - 8.3.1.1 The employee has at any time participated in the transaction; or
 - 8.3.1.2 The transaction has been under the official responsibility of the employee within a period of two years preceding the assistance.
 - 8.3.2 An employee from sharing in compensation received by another for assistance the employee is prohibited from providing.
- 8.4 Personal collecting may result in situations where a conflict of interest may arise. As such, collecting art or historical objects is permitted for staff members subject to the following:
 - 8.4.1 Employees should not become involved in any transactions that give rise to an actual or perceived conflict of interest.
 - 8.4.2 Employees and their immediate family may not purchase objects deaccessioned from EWSHS.
 - 8.4.3 Employees may not store personal collections on EWSHS property, nor may they conduct research on personal collection during EWSHS time.
 - 8.4.4. Where a conflict of interest with EWSHS exists or there is a concern that it may exist, employee should immediately make available to EWSHS Executive Director, full details of all significant purchases, trades, and gifts or sales of objects or items that may fall within the collecting policy of EWSHS and follow the procedure laid out in Article XVI.

- 8.5 In order to avoid any actual or perceived conflicts of interest, employees should not deal (buy and sell object for a profit on a regular basis) historical or cultural artifacts, art, books, or paper that relate to the areas of interest in EWSHS's Collection Policy COL-100, nor should they accept outside employment from a dealer or retain interest in a dealership of similar material.
- 8.5.1 Upgrading a personal collection by occasional trades, purchases or sales is not considered dealing, although the acquisition and deletion of objects from a personal collection may require disclosure as set forth in Article IX this Policy.
- 8.6 Employment outside of EWSHS may present ethical challenges, specifically potential conflicts of interest. There is an existing policy for Outside Employment, HR-401. In order to avoid ethical violations, Employees must adhere to HR-401 regarding any employment outside of EWSHS.
- 8.7 Whenever a matter arises for action by the Board of Trustees involving a conflict between the interests of EWSHS and an outside or personal interest of a trustee or that of a member of their family, that interest should be disclosed and made a matter of record. In those cases where the trustee is present when a vote is taken in connection with such a question, they should disclose the interest and abstain from voting. There may be situations where the conflict is so grave that it cannot be resolved, in which case resignation may be appropriate.
- 8.8 While it is expected that this Policy will be effective in minimizing or eliminating conflicts of interest, when serious doubts exist as to the presence of a conflict, the employee should refer to Article XVI of this Policy and bring it to the attention of their supervisor and/or Executive Director.

ARTICLE IX PERSONAL GIFTS

- 9.1 An employee may not accept or solicit a gift if it could be reasonably expected to influence the performance or nonperformance of the employee's official duties.
- 9.2 An employee may not accept a gift from any person with a value in excess of \$50 a year
- 9.2.1 The value of gifts given to an employee's family member shall be attributed to the employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member.
- 9.3 The following items are presumed not to influence and may be accepted without regard to the value limit established by section 11.2.
- 9.3.1 Unsolicited flowers, plants, and floral arrangements
- 9.3.2 Unsolicited advertising or promotional items of nominal value, such as pens and note pads

- 9.3.3 Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item
 - 9.3.4 Unsolicited items received by an employee for the purpose of evaluation or review, if the employee has no personal beneficial interest in the eventual use or acquisition of the item by EWSHS
 - 9.3.5 Informational material, publications, or subscriptions related to the recipient's performance of official duties
 - 9.3.6 Food and beverages consumed at hosted receptions where attendance is related to the employee's official duties
 - 9.3.7 Admission to, and the cost of food and beverages consumed at, events, sponsored by or in conjunction with a civic, charitable, governmental or community organization; and
 - 9.3.8 Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature.
- 9.4 Section 4 employee is defined as: if an employee whose duties including regulating certain members of an industry or include decisions about contracting or purchasing from any current or potential future contractor or vendor. "Section 4" gift restrictions apply to gifts from those industries, contractors, or vendors. Employee's work that is covered by "Section 4" may only accept the following.
- 9.4.1 Items from family members where it is clear that the gift was not made as part of any effort to gain or maintain influence in the agency of which the recipient is an employee.
 - 9.4.2 Items related to the outside business of the recipient which are customary and not related to the recipient's performance of official duties.
 - 9.4.3 Items exchanged among employees, or a social event hosted by a state employee for co-workers.
 - 9.4.4 Items a state employee is authorized by law to accept.
 - 9.4.5 Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt.
 - 9.4.6 Campaign contributions reported under 42.17 RCW.
 - 9.4.7 Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group.
 - 9.4.8 Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.
 - 9.4.9 Unsolicited advertising or promotional items of nominal value.

9.4.10 Unsolicited tokens or awards of appreciation: plaques, trophies, desk items.

9.4.11 Unsolicited items for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the use or acquisition of the item by the agency.

9.4.12 Informational material, publications, or subscriptions related to official duties.

9.4.13 Food and beverages at hosted receptions where attendance is related to official duties.

9.4.14 Admission to and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic charitable, governmental or community organization.

9.5 A "Section 4" employee cannot accept any food or drink by a person whom the employee regulates or who wishes to do business with EWSHS, i.e. any current or potential future contractor or vendor, in the ordinary course of state business.

ARTICLE X

HONORARIA

10.1 An honorarium is any money or thing of value offered for a speech, appearance, article or similar items in connection with the employee's official role at EWSHS. An honorarium may be accepted.

10.2 An employee may use state time and resources to prepare materials for a speech or presentation for which an honorarium will be paid if the activity is related to the employee's official role at EWSHS. If the Executive Director does not allow the employee to use state time and resources, any payment the employee receives is not an honorarium subject for approval but is instead considered outside compensation and subject to RCW 42.52.120.

10.3 Conference fees that are waived are not considered gifts or honorarium.

ARTICLE XI

OWNERSHIP OF SCHOLARLY MATERIALS

11.1 Publications, lectures, manuscripts and all other materials prepared by an employee within the scope of his/her employment at EWSHS and/or any scholarly works produced by the employee as a result of financial support from EWSHS are the sole property of EWSHS except as authorized in writing by the Executive Director.

11.2 Employees should first confer with the Executive Director before agreeing to author, as a private individual, any publications that substantially draw upon materials prepared in the scope of employment with EWSHS.

ARTICLE XII

POLITICAL ACTIVITIES

- 12.1 Employees must adhere to the state of Washington's ethics rules (RCW 42.52.180) with regards to political activities. Employees must not use state facilities and resources for political campaigns, subject to any approved exceptions. See RCW 42.52.180.

**ARTICLE XIII
HUMAN REMAINS AND SACRED OBJECTS**

- 13.1 Human remains, funerary items and religious or sacred objects, as defined by NAGPRA or the tribe of origin, that are in custody of EWSHS shall be securely and sensitively housed and maintained with the greatest respect in a separate location apart from other EWSHS collections. Consultation regarding the proper care of such items will be sought from official, tribally designated representatives handling such matters for their respective tribe. Access to these sensitive objects shall only be granted to tribally authorized individuals by the Executive Director and the curator of American Indian Collections following EWSHS procedures. See also COL-101 – NAGPRA Policy Statement.
- 13.2 Research, exhibitions, interpretation and publications about these sensitive objects should be done with tact and respect for human dignity and in consultation with individuals authorized from the tribe of origin. See also COL-101 – NAGPRA Policy Statement.

**ARTICLE XIV
APPRAISALS**

- 14.1 EWSHS employees should not perform outside appraisals for any individual, business or organization. EWSHS should maintain a list of appraisers but should not provide an endorsement.
- 14.2 The exceptions to this "no appraisal" principle are internal use (e.g. insurance evaluation for loans) of EWSHS, or with written permission of the Executive Director, for other non-profit organizations, units of government or tribes. Any such appraisal must represent an honest and objective judgment and must indicate how the judgment was reached.

**ARTICLE XV
VOLUNTEERS**

Volunteers are expected to keep museum information that is not available to the general public confidential and abide by the other provisions of this Policy.

**ARTICLE XVI
ADMINISTRATION**

Situations that could be perceived to be a violation of this Policy or any section of RCW 42.52 should be brought to the attention of an employee's supervisor for resolution. After a potential violation has been reported, EWSHS will take all reasonable steps to respond and to prevent further similar offenses. Violations of the State Ethics Act or this policy may lead to corrective or disciplinary action, up to and including termination.

- 16.1 The Washington State Executive Ethics Board has the authority and responsibility for investigating alleged violation(s) of the Ethics Act and may take administrative action against an agency employee, including imposing a civil penalty for violations. Anyone

may file an ethics complaint against a state employee or officer. Complaint forms are available on the Executive Ethics Board's website. Complaints may be filed anonymously or the complainant may choose to remain confidential. Ethics complaints may be filed directly with this Board at the following address.

Executive Ethics Board
PO Box 40149
Olympia, WA 98504

The Executive Director is responsible for and shall exercise personal leadership in establishing, maintaining, and carrying out the agency's ethics program. They shall make available to the ethics program sufficient resources (including investigative, audit, legal, and administrative staff as necessary) to enable the agency to administer its program in a positive and effective manner.

16.2 The Executive Assistant is designated as the agency's Ethics Advisor who coordinates and manages the agency's ethics program. The Ethics Advisor is the agency's liaison to the Executive Ethics Board. The Ethics Advisor may:

16.2.1 Assess the application of conflict of interest laws and regulations to the information reported and counsel those officers or stakeholders with regard to resolving actual or potential conflicts of interests or appearances.

16.2.2 Counsel agency personnel concerning ethics standards and programs.

16.2.3 Counsel departing and former agency officials on post-employment conflict of interest standards.

16.2.4 Assist managers and supervisors in understanding and implementing agency ethics programs.

16.2.5 Develop and administer a system for periodic evaluation of the ethics program.

WAC's and references that apply to this policy

RCW 42.52.140 and 150	WAC 292-110-010 (use of state resources)
RCW 42.52.080	BP 120A – Guidelines for Professional Practices
www.ethics.wa.gov .	See also AAM Code of Ethics in the Reference Section. In case of conflicts, state laws, this policy and BP #120A override the AAM Code of Ethics.