

Ethical Standards

Standards of Conduct

EWU Policy 901-01

Effective: February 23, 2018

Authority: EWU Board of Trustees

Proponent: President's Office

Purpose: This policy prescribes ethical standards for the work and conduct of employees of Eastern Washington University. The purpose of this policy is to support and implement Chapter 42.52 RCW, Ethics in Public Service, and thereby prevent conflicts of interest and other ethical violations.

History: This policy supersedes EWU Policy 901-01, dated July 29, 2016. It was adopted by the EWU Board of Trustees (BOT) on February 23, 2018.

Applicability: This policy pertains to all employees of Eastern Washington University, including student and non-student temporary employees.

CHAPTER 1 – GENERAL

1-1. Policy

University employees shall not engage in any activity nor maintain any interests or associations that are in conflict with State and Federal ethics laws, university policy, or their obligations or responsibilities to the university and the citizens of the state of Washington.

1-2. Violation Procedures

Suspected violations of this policy or state laws on Ethics in Public Service (chapter 42.52 RCW and Title 92 WAC) shall be reported to a supervisor or to the Associate Vice President for Human Resources. Reports of alleged violations will be investigated in accordance with EWU Guideline 401-01, Investigations.

1-3. References

- Chapter 42.52 RCW, Ethics in Public Service
- Title 292 WAC, Ethics in Public Service
- EWU Guideline 401-01, Investigations
- Washington State Executive Ethics Board website, www.ethics.wa.gov

1-4. Definitions

Throughout this policy, the definitions provided in RCW 42.52.010 shall apply.

CHAPTER 2 – ETHICAL STANDARDS

2-1. General

The University expects all employees to observe the laws of the state of Washington and to use state resources appropriately. University employees may not participate in any activity that is incompatible with their official duties.

Employees are individually responsible for complying with the Ethics in Public Service Act. The Executive Ethics Board enforces the Ethics in Public Service Act and can independently, apart from the University, discipline and fine employees.

Any employees who have concerns about whether certain actions may be considered ethics violations are encouraged to contact the Executive Ethics Board directly or the Associate Vice President for Human Resources, who serves as the University's ethics advisor.

2-2. Policies

In addition to the restrictions of chapter 42.52 RCW and chapter 292-110 WAC, the university has adopted policies which establish additional ethical standards for EWU employees, including, but not limited to the following:

- a. EWU Policy 302-05, Ethics in Research
- b. EWU Policy 401-02, Additional or Outside Employment
- c. EWU Policy 901-02, Appropriate Use of University Resources
- d. EWU Policy 901-03, Fraternalization and Consensual Relationships
- e. EWU Policy 901-04, Bullying
- f. EWU Policy 901-05, Nepotism

2-3. Remedial Action

If it is determined that any activity or interest is in conflict with an employee's assigned duties, the employee shall immediately notify their supervisor and take immediate action to end such conflict.

2-4. Confidential Information

The Ethics in Public Service Act prohibits University employees from disclosing confidential information to any person or entity not entitled or authorized to receive the information. RCW 42.52.050(3). Additionally, employees shall not disclose confidential information gained by reason of their employment at EWU or use such information for their own personal gain or benefit or gain or benefit of another, unless such disclosure was authorized by statute or by a contract with EWU entered into by a university official who had the authority to waive the confidentiality of the information. RCW 42.52.050(2).

"Confidential information" includes, but is not limited to:

- a) Student education records as defined by the Family Educational Rights and Privacy Act;
- b) Protected health information as defined by the Health Insurance Portability and Accountability Act;
- c) Medical and counseling records protected from disclosure under state or federal law;
- d) Personal information as defined in RCW 19.255.010 and RCW 42.56.590;
- e) Social security numbers;
- f) Credit or debit card information;
- g) Consumer information as defined under the Fair Credit Reporting Act and customer information as defined under the Gramm-Leach-Bliley Act;
- h) Law enforcement records to the extent such records are confidential under state or federal law;
- i) EWU source code or object code;

- j) EWU security data;
- k) Log-on user identification information and passwords;
- l) Employment records to the extent such records are confidential under state or federal law;
- m) Any information protected from disclosure under the Public Records Act, chapter 42.56 RCW;
- n) Any information relating to a contract that EWU has a legal or contractual obligation to keep confidential, including, but not limited to, proprietary information, trade secrets, trademarks, patents, and copyrights;
- o) Attorney-client privileged materials, unless the Board of Trustees and/or President has waived such privilege; and,
- p) Information discussed during an executive session of the University Board of Trustees held in accordance with the Open Public Meetings Act.

CHAPTER 3 – GIFTS AND HONORARIA

3-1. Gifts

University employees may not seek or receive, directly or indirectly, anything of economic value if a reasonable person would expect the gift or favor would influence the person's actions or judgment, or be considered as part of a reward for action or inaction. If such influence is not present, employees are prohibited from receiving any gift(s) from a single source with an aggregate value of more than \$50 in a calendar year as defined in RCW 42.52.150, except for those items specifically identified in RCW 42.52.150(2). In situations where there is uncertainty as to whether accepting and keeping a gift is allowable, the intended recipient shall obtain agency approval from the appropriate Vice President, President, or designee. Additional restrictions apply to people who participate in reviewing, awarding, or signing contracts on behalf of the university as outlined below in the Conflicts of Interest section.

3-2. Honoraria

a. Definition: Per RCW 42.52.010, an honorarium is defined as “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.”

b. Agency Approval: Under RCW 42.52.130, “No state officer or state employee may receive honoraria unless specifically authorized by the agency where they serve as state officer or state employee.”

c. University Authorization: Eastern employees are granted approval to accept an honorarium without further agency approval if:

- (1) the honorarium is not cash or a cash equivalent (stocks, bonds, gift cards, etc),
- (2) the item is valued at less than one hundred dollars, and,
- (3) all other restrictions in this section and in RCW 42.52.130 are complied with.

If the honorarium is a cash or cash equivalent or is valued at more than one hundred dollars, the employee must obtain University approval prior to accepting the honorarium.

d. Prohibited Acceptance: Honoraria shall not be accepted in situations where the state employee could potentially influence an interest of the person offering the honorarium as described in RCW 42.52.130.

CHAPTER 4- CONFLICTS OF INTEREST

All employees hold positions of trust and should conduct themselves accordingly. They must avoid activities that would compromise the public's confidence in the University's integrity or that would impair them from fulfilling their professional responsibilities. Hence, this policy and the Ethics in Public Service Act, chapter 42.52 RCW, prohibit the following conflicts of interest:

4-1. Current Employees- Generally

a. No employee shall have an interest, financial or otherwise, direct or indirect, or engage in a business

or transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the employee's official duties.

b. An employee shall not use his or her position to secure special privileges or exemptions for himself or herself, or their spouse, child, parents, or other persons, except as required to perform duties within the scope of the employee's employment.

c. Employees are prohibited from employing or using any person, money, or property under the employee's control or direction for the private benefit or gain of the employee or another person.

d. Employees are prohibited, directly or indirectly, from asking for, giving, receiving, or agreeing to receive any compensation, gift, reward or gratuity from a source for performing or omitting or deferring the performance of an official duty, unless such compensation is received pursuant to a written agreement between the University and the EWU Foundation.

e. Any employee engaged in research must also comply with EWU Policy 302-05 (Ethics in Research).

4-2. Current Employees- Contracts & Grants

a. No employee, except as explicitly permitted by the Ethics in Public Service Act and any relevant federal regulations, shall have a beneficial interest, direct or indirect, in a contract, sale, lease, purchase or grant entered into by the university.

b. No employee may accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in a university contract, sale, lease, purchase, or grant, unless permitted by RCW 42.52.030(2). It is also a violation of state procurement laws for any person who seeks to enter into a contractual arrangement with the University to give, loan, transfer, or deliver anything of economic value to a university employee that would cause the employee to violate the Ethics in Public Service Act.

c. Employees who participate in reviewing, awarding, or signing contracts for the University are prohibited from receiving, accepting, or seeking, directly or indirectly, anything from the entity seeking to contract with or who does contract with the University except for those items specifically permitted by RCW 42.52.150(4).

d. No employee shall, except in the course of official duties or incident to official duties, assist a person or entity, directly or indirectly, whether or not for compensation, in a transaction involving the University:

i. in which the employee has participated, or

ii. if the transaction is or has been under the employee's responsibility at any time during the preceding two years.

Similarly, if an employee is also employed by an outside entity, the outside entity cannot assist someone in a transaction with the university.

e. If a federal grant or contract is involved, additional conflict of interest provisions may apply.

4-3. Textbooks

A faculty member cannot profit from or receive royalties from the sale of a textbook required for a course taught by the faculty member unless the faculty member was not involved in selecting the required reading for the course.

Employees are also prohibited from selling any complimentary textbooks they may receive.

4-4. Former Employees

After leaving the University, former employees are still subject to the ethical limitations set forth in RCW 42.52.080.