



## WASHINGTON STATE Department of Children, Youth, and Families

### Administrative Policy

#### Chapter 11 Human Resources 11.30 Outside Employment, Volunteering, and Honorariums

**Original Effective Date:** May 19, 2021

**Revised Date:**

**Sunset Review Date:** May 19, 2024

**Approved by:** Frank Ordway, Chief of Staff

#### Purpose

The purpose of this policy is to provide guidance for requesting and approving outside employment, volunteering, and honorariums for Department of Children, Youth, and Families (DCYF) employees, interns, and work study students.

#### Scope

This policy applies to DCYF employees, interns, and work study students. For represented employees, the [collective bargaining agreements](#) will prevail if this policy is determined to be in conflict.

#### Laws

[Chapter 42.52 RCW](#) Ethics in public service

#### Policy

1. Appointing authorities must approve outside employment, volunteering, or reconsideration review requests when the employee's, intern's, or work study student's outside employment or volunteer activities do not:
  - a. Interfere with their official duties.
  - b. Result in a conflict of interest.
  - c. Conflict with the code of ethics in [chapter 42.52 RCW](#).
2. Appointing authorities may:
  - a. Require resubmission for approval or withdraw approval for outside employment or volunteering at any time, if it interferes with the employee's, intern's, or work study student's official duties or there is a conflict of interest.
  - b. Approve honorariums, if the activities:
    - i. Do not:
      - A. Interfere with the employee's official duties.
      - B. Result in a conflict of interest.
      - C. Conflict with the code of ethics in [chapter 42.52 RCW](#).
    - ii. Are not for individuals or organizations:
      - A. Seeking or expected to seek a contract with DCYF and the employee might participate in the acceptance or terms of the contract.

- B. Regulated by DCYF and the employee may participate in the regulation.
  - C. Likely to seek or oppose legislation or policy changes influencing DCYF and the employee may participate in the changes.
- 3. Employees, interns, and work study students must:
  - a. Review this policy within 30 calendar days from their start date, and annually thereafter.
  - b. Obtain approval for outside employment and governance or formal volunteering from their appointing authority. Informal volunteering does not require appointing authority approval.
  - c. End outside employment or volunteering within 30 calendar days from the date of denial or final denial, if a reconsideration is requested, when interference in their official duties or conflicts of interest cannot be resolved to the appointing authority's satisfaction.
  - d. Conduct outside employment and volunteering consistent with the following DCYF Administrative policies:
    - i. [11.21 Ethics and Employee Conduct](#)
    - ii. [13.04 Protecting Privacy and Confidential Information](#)
  - e. Consult with their supervisor, [local Human Resource Division \(HRD\) human resource consultants \(HRCs\)](#), or the [DCYF ethics advisor](#) when they are unsure whether conduct or circumstances may be a violation of this policy.
- 4. Employees must:
  - a. Obtain approval from:
    - i. Their appointing authority and the [Washington State Executive Ethics Board](#), prior to contracting with DCYF or another state agency, per the [State Employees Contracting with State Agencies](#) process.
    - ii. Their appointing authority, for honorariums. For approved honorariums, employees:
      - A. May use state time and resources to prepare for the activities, with appointing authority approval.
      - B. Must conduct the activities consistent with the following DCYF Administrative policies:
        - I. [11.21 Ethics and Employee Conduct](#)
        - II. [13.04 Protecting Privacy and Confidential Information](#)
  - b. Not contract with DCYF or another state agency, if denied by the [Washington State Executive Ethics Board](#).
- 5. Employees, interns, and work study students may request a reconsideration review from the next-level appointing authority, when their request is denied.
- 6. Employees, interns, and work study students, regardless of position, must follow this policy. Failure to do so may result in:
  - a. External investigation by the [Office of the State Auditor](#) and [Washington State Executive Ethics Board](#).
  - b. Disciplinary action, up to and including, dismissal.
- 7. Local HRD HRCs must maintain [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) forms for employees, interns, and work study students, per the [records retention schedule](#).

## Procedures

1. Outside Employment, Volunteering, and Honorariums Request Process

- a. Employees, interns, and work study students must request approval for outside employment, volunteering, and honorariums by:
  - i. Completing the employee section of the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form:
    - A. Within 30 calendar days of:
      - I. Their start date with DCYF.
      - II. After accepting outside employment or volunteering while employed with DCYF.
      - III. Changes in their duties or positions within DCYF.
      - IV. Changes in their duties or positions in their outside employment, volunteering, or the activities associated with the honorariums.
      - V. Changes in the honorarium.
    - B. Annually.
  - ii. Submitting the completed form to their supervisor.
- b. Supervisors must review requests from requestors and:
  - i. Determine if there is an interference in official duties or a conflict of interest.
  - ii. Complete the supervisor's review section of the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form. If they determine there is:
    - A. No interference or conflict, they must:
      - I. Mark the box "recommend approved" and sign and date the form.
      - II. Send the form to the appointing authority for approval or denial.
    - B. Interference or a conflict, they must:
      - I. Mark the box "recommend disapproved", document the reason for the interference or conflict on the form, and sign and date the form.
      - II. Send the form to the appointing authority for final approval or denial.
- c. Appointing authorities must approve or deny requests that have been reviewed by supervisors by:
  - i. Making a determination whether there is interference in official duties or a conflict of interest.
  - ii. Completing the appointing authority's review section of the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form and:
    - A. Approve the request when they determine there is not interference by:
      - I. Marking the box "approved" and signing and dating the form.
      - II. Providing a copy of the form to the requestor and the supervisor.
    - B. Deny the request when they determine there is interference by:
      - I. Marking the box "disapproved", documenting the reason for the interference or conflict on the form, and signing and dating the form.
      - II. Providing a copy of the form to the requestor and the supervisor.

- d. Appointing authorities may recommend actions that would remove the interference in official duties or the conflict of interest on the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form.
  - e. If requestors are notified that their request has been denied, they have 30 calendar days from the date of denial to either:
    - i. Resolve the interference or conflicts of interest and submit a new [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) for approval, including on the form how the interference or the conflicts have been resolved.
    - ii. Request reconsideration.
  - f. Requestors must end outside employment or volunteering within the 30 calendar days, if interference in their official duties or conflicts of interest cannot be resolved to the appointing authority's satisfaction or they have not submitted a reconsideration request.
  - g. Requestors must not conduct activities associated with honorariums or accept honorariums when their request is denied by the appointing authority.
2. **Reconsideration Reviews**  
 If appointing authorities have denied requests:
- a. Employees, interns, and work study students may request a reconsideration review by:
    - i. Describing on the previously completed [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023 form](#) their reason for requesting reconsideration.
    - ii. Emailing the form to the next-level appointing authority.
  - b. Next-level appointing authorities must review the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form and:
    - i. Determine whether they agree with the previous decision that the outside employment, volunteering, or honorariums interfere in official duties or are a conflict of interest.
    - ii. Complete the Reconsideration Review section of the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form. If they determine there is:
      - A. No interference or conflict, they must:
        - I. Mark the box "approved" and sign and date the form.
        - II. Provide a copy of the form to the requestor, supervisor, and appointing authority.
      - B. Interference or conflict, they must:
        - I. Mark the box "disapproved", document the reason for the interference or conflict on the form, and sign and date the form.
        - II. Provide a copy of the form to the requestor, supervisor, and appointing authority.
  - c. Requestors must end their outside employment or volunteering within 30 calendar days, when their request is denied after a reconsideration review.
  - d. Requestors must not conduct activities associated with honorariums or accept honorariums, when their request is denied after a reconsideration review.
3. **Documentation**  
 To maintain [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) forms, per the [records retention schedule](#):

- a. Supervisors must email approved and denied [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) forms to their [local HRD HRC](#).
  - b. [Local HRD HRCs](#) must maintain the [Notification of Outside Employment/Volunteering/Honorariums DCYF 03-023](#) form in the employee's, intern's, or work study student's personnel file.
4. Concerns and Complaints  
Employees, interns, and work study students who believe they have experienced or witnessed a violation of this policy may report incidents to one of the following, if they feel comfortable:
  - a. Division and office leadership
  - b. An appointing authority
  - c. A manager
  - d. A supervisor
  - e. [HRD](#)
  - f. [DCYF ethics advisor](#)

## Definitions

**Appointing Authorities** are employees lawfully authorized with delegated authority by the secretary to appoint, transfer, layoff, reduce, dismiss, suspend, or demote employees.

**Compensation** is anything of economic value, regardless of form, that is paid, loaned, granted or transferred, or promised to be paid, loaned, granted or transferred, or in consideration of services to any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

**Conflicts of Interest** occur when individuals have direct or indirect interests, financial or otherwise, engage in business, transactions, or professional activities, or have an obligation of any nature, and the interest, activities, or obligations interfere with, have the potential to interfere with, or may be perceived as interfering with the performance of their official duties.

**Division and Office Leadership** means DCYF division and office heads and other employees they designate as leadership for their division or office. Division and office head does not mean the head of a field office or facility.

**Employees** are individuals to whom DCYF pays salaries, wages, or benefits for work performed for DCYF.

**Formal Volunteering** means activities that are structured, supervised, and long term or project-based and involve sustained, regular attendance, e.g., volunteer activities at hospitals or schools, in sports programs, or at community non-profit organizations.

**Governance Volunteering** means activities that provide leadership and direction to an organization, this includes helping in the planning and decision-making in an organization's operations, e.g., volunteer activities as board members or consultants in community affairs, councils, or other similar groups.

**Honorariums** are payments for activities a state officer or state employee does that are related to the state officer's or state employee's official role but are outside of their official duties, e.g., speeches, appearances, articles, or similar items or activities. Honorariums do not include

payment for travel, lodging, or meals, which are covered under gifts in the [DCYF Administrative 11.21 Ethics and Employee Conduct](#) policy.

**Informal Volunteering** means activities that are either:

- Voluntary acts of helping and kindness, e.g., volunteering activities for a neighbor, friend, or community member.
- Activities done in local communities in unfunded and unstructured settings that do not include regular hours of volunteer time, e.g., volunteer activities in a neighborhood street clean-up or religious fundraiser.

**Interns** are individuals who work for DCYF with or without pay or benefits. This is typically short term and allows individuals to gain valuable skills and abilities.

**Manager** means any employee who:

- Formulates statewide policy or directs the work of an agency or agency subdivision.
- Is responsible to administer one or more statewide policies or programs of an agency or agency subdivision.
- Manages, administers, and controls a local branch office of an agency or agency subdivision, including the physical, financial, or personnel resources.
- Has substantial responsibility in personnel administration, legislative relations, public information, or the preparation and administration of budgets.
- Functionally is above the first level of supervision and exercises authority that is not merely routine or clerical in nature and requires the consistent use of independent judgment.

**Next-Level Appointing Authorities** are the direct supervisor of an appointing authority and are one level higher in the leadership

**Outside Employment** is work that results, or is intended to result, in compensation or reward and includes, but not limited to:

- Private or self-employment, e.g. consultation, sales, and property rentals.
- Employment as a consultant or advisor.
- Concurrent employment with DCYF or another state agency.
- Employment in government agency or non-profit organization.
- Personal service contracts with the State of Washington.
- Employment with individuals or organizations who are clients of, do business with, or try to influence policies or regulations in which DCYF has an interest.
- The performance or non-performance of any activity, transaction, or professional activity that causes an individual or entity to provide an employee, volunteer, intern, or work study student of DCYF with anything of economic value, regardless of form, in consideration for the performance or nonperformance of such activity, transaction, or professional activity.

**Volunteering**, for the purpose of this policy, includes activities that:

- Are performed during an employee's, volunteer's, intern's, or work study student's time off from DCYF.
- Provide no monetary or material gain for participation in the activities.
- Are not work-related or DCYF-sponsored volunteer activities.

**Work Study Students** are college students participating in programs that enables them to work for DCYF while enrolled in school.

## **Forms**

[Notification of Outside Employment and Volunteering DCYF 03-023](#)

## **Resources**

[DCYF Administrative 11.21 Ethics and Employee Conduct policy](#)

[DCYF Administrative 13.04 Protecting Privacy and Confidential Information policy](#)

[Office of the State Auditor](#)

[State Employees Contracting with State Agencies](#)

[Washington State Executive Ethics Board](#)

[Washington State Records Retention Schedule](#)