

PAO
Volunteer
Policy
Manual

KING COUNTY PROSECUTING ATTORNEY'S POLICY
Regarding Disclosure of Arrests/Criminal Charges for Employees and Close Family
Members of Employees

The King County Prosecuting Attorney's Office is entrusted and charged with the statutory responsibility for, among other things, prosecuting criminal violations. Employees of the office engage in highly-sensitive work, the nature of which requires that they work closely with a variety of law enforcement agencies. Therefore, the interest of the employer is particularly great in employing law-abiding personnel whose conduct, both on and off-duty, reflects favorably on the office and supports its mission.

Employees of the King County Prosecuting Attorney's Office are required to disclose to their supervisor, Chief Deputy or Human Resources, any arrest or criminal charge that occurs in any jurisdiction (in the United States) during the course of their employment with this office. Depending on the nature of the arrest, employees may be placed on administrative leave with pay pending the review or outcome of the arrest.

Regardless of whether criminal charges are filed or a conviction results, administrative action may be taken by the PAO where it is warranted by the evidence. If an administrative investigation establishes that an employee has violated a criminal law in the State of Washington, or an equivalent law in another jurisdiction, that employee may be subject to discipline up to and including termination. If the employee is represented, PAO management will consult with the union and follow applicable provisions in the Collective Bargaining Agreement.

Employees are reminded that if they are investigated by law enforcement personnel, it is not appropriate to request special treatment based on affiliation with the PAO or use PAO or County-issued badges, ID cards or business cards to identify themselves to law enforcement agencies.

Employees are also required to report any known arrest of any family member by any law enforcement agency in **King County**. For purposes of this policy, "family member" means a person who is related to the employee as a parent, child, sibling, domestic partner or spouse, or who has any other close familial or intimate relationship with the employee. If in doubt, employees are encouraged to disclose an arrest. *The purpose for disclosure is so that this office can avoid an actual or apparent conflict of interest by taking appropriate measures, including screening the employee from the case or sending the case to another jurisdiction.*

It is the expectation of this office that an employee report any applicable arrest or criminal charge of him or herself within one business day of the arrest or as soon as reasonably practicable. In the case of family members, employees are expected to report the arrest within one business day of learning of the arrest or as soon as reasonably practicable.

Child Support

Employees must also disclose to their Division Chief or the Human Resources, if they have personal knowledge of or a relationship (as defined above) to a litigant in a child

support action in the Family Support Division. The purpose for disclosure is so that this office can avoid an actual conflict and/or appearance of fairness issue.

Failure to comply with the reporting requirements of this policy may result in discipline, up to and including termination.

**King County Prosecuting Attorney's Office
Prohibited Drug Use and Alcohol Misuse Policy**

This policy is intended to promote a safe, healthy, drug-free, and alcohol-free work environment for all PAO employees. It is designed to encourage and support appropriate professional assistance to interested employees with alcohol problems.

Employees are prohibited from reporting to work or performing work while under the influence of alcoholic beverages or controlled substances while on duty or on King County Property. Further, employees may not use, sell or purchase alcohol or controlled substances while at work. Employees should not drink any alcoholic beverages during work hours, including lunch, because it reflects poorly on the professional nature of our work. Celebrations outside the office which begin after work hours are fine.

PAO employees are prohibited from using illegal drugs and substances on or off duty, because we are a law enforcement agency. PAO employees are expected to follow the laws of the State of Washington.

This policy does not apply to employees taking prescription drugs as directed by their medical providers, provided that such use does not endanger or impair the employee's ability to perform the essential functions of their job. This includes appropriate behavior in the workplace.

The PAO does not conduct pre-employment drug and alcohol testing of applicants. The PAO does not conduct random drug and alcohol tests of employees. The PAO will send an employee to be tested for drugs or alcohol if/when there is a reasonable suspicion that the employee is under the influence at work.

Reasonable Suspicion

If a supervisor has Reasonable Suspicion that an employee may be at work under the influence of drugs and/or alcohol, the supervisor will report this to the Chief Deputy and/or Human Resources. The Human Resources Director will work with the King County Drug and Alcohol Program and the Employee Assistance Program.

The PAO will determine whether reasonable suspicion exists based on objective, specific, contemporaneous and articulable observations about the employee's appearance, speech, behavior, and odor. Objective and articulable observations that may support a conclusion that reasonable suspicion exists include but are not limited to: observations of drug and alcohol possession and use; and physical manifestations of probable drug and alcohol use such as slurred speech, incoherent conversation and interaction, watery and/or bloodshot eyes, unbalanced and/or staggering gait, sleeping at work, and the smell of alcohol, marijuana, or other drugs.

The PAO shall document in writing all observations supporting its conclusion that reasonable suspicion exists. All documentation supporting a reasonable suspicion test

will be submitted to the King County Drug and Alcohol Program Manager (“Program Manager”).

After consulting with the Program Manager, if the PAO directs an employee to submit to a reasonable suspicion drug and alcohol test, the PAO will relieve the employee of duty, arrange for the employee to be transported to the sample collection site, and arrange for the employee to be transported home. The employee will sign any necessary consent forms for obtaining and testing breath and/or urine samples and will provide the samples as directed.

An employee who refuses to sign the necessary consent forms for obtaining and testing breath and/or urine samples, who fails to provide a breath and/or urine sample in a timely fashion, who fails to comply with reasonable direction during the testing process, or who fails to remain at the testing site until the testing process is complete, may be subject to discipline up to and including termination of employment.

Any refusal to submit to a reasonable suspicion alcohol or drug test, and all positive alcohol or drug tests, will be reported immediately by the testing facility to the Program Manager.

The results of an employee's drug and alcohol test shall be reported to the Program Manager and the PAO HR Director (via the Program Manager).

Employees determined to have a verified positive drug test are considered to be in violation of this policy for prohibited drug use.

Employees determined to have a confirmed positive alcohol test (.02 or greater) are considered to be in violation of this policy for alcohol use.

Employees who have a verified positive drug test, or who have a confirmed positive alcohol test will be immediately removed from duty and, subject to appropriate approvals, may be placed on administrative leave with pay pending review.

Consequences for a Positive Legal Drug or Alcohol Test or King County Alcohol Violation (.02 or greater)

There may be instances when discipline up to and including termination is warranted for positive tests of alcohol or drugs. The PAO makes a commitment to review the facts of each individual situation very carefully in conjunction with the employee’s union, if applicable.

Another outcome of a positive alcohol or drug test could be Conditional Retention. If Conditional Retention is recommended the employee will:

- Submit to an evaluation by a substance abuse professional approved by King County’s EAP;

- Sign a conditional retention of employment agreement;
- Attend an appropriate King County approved education and/or treatment program and sign a monitoring agreement with King County's EAP to ensure successful completion of the education/treatment program specified by the substance abuse professional;
- Prior to returning to work after a positive drug or alcohol test, is subject to a return to duty drug and/or alcohol test with a verified negative result(s); attends follow up tests as required by the substance abuse professional.
- The employee who is conditionally retained must fully comply with the conditions of retention of employment, including successful completion of the treatment program specified by the Substance Abuse Professional.

HRP://PAO Drug and Alcohol Policy-05-14 (final) doc.

CONFIDENTIALITY AGREEMENT

I understand and agree that:

1. King County Prosecuting Attorney's Office (PAO) employees/volunteers may have access to records and information of a confidential nature. The records of the PAO, including electronic and paper files, contain confidential and personal information.
2. Employees/volunteers shall treat all official department business and records as confidential and shall not discuss or impart information to any person who is not a member of the criminal justice system, Division of Child Support or County client and who the employee communicates with within the scope of his/her employment without the permission of the PAO or as required by law.
3. Additionally, employees/volunteers shall not disclose one another's address, telephone number, or information from personnel files to the public or to news media except with the consent of the concerned individual or as required by law.
4. Employees/volunteers may not use any database (i.e. Prosecutor by Karpel (PBK), Support Enforcement Management System (SEMS) or *any* other databases that the employee/volunteer has access to as a result of their employment with the PAO, including but not limited, to court databases, DOC, King County Jail, etc.) to access any information on: (a) self, friends, neighbors, relatives, or co-workers; or (b) any other person unless the purpose is directly associated with the scope of employment.
5. Violation of the rules of confidentiality may be reason for immediate termination. Unauthorized release of criminal history information constitutes a misdemeanor offense subject to criminal prosecution and civil action. The Division of Child Support records contain information from other government agencies; wrongful disclosure of that information may lead to civil and criminal penalties.
6. Confidential information obtained during employment must continue to remain confidential when employment ends.

I have read and understand the above and promise to abide with all the rules of confidentiality.

Signature

Date

Printed Name

King County Prosecuting Attorney's Office— Policy on Domestic Violence in the Workplace

The King County Prosecuting Attorney's Office will not tolerate acts of domestic violence in the workplace. Due to privacy rights and workplace pressures, management often will not be aware of circumstances of domestic violence that have occurred. The intent of this policy is to encourage employees at risk to seek help and to offer a model of support and referral when a situation of domestic violence is known to potentially cause risk in the workplace. Further, Domestic Violence goes against the very mission of the PAO. If an employee is arrested or convicted of Domestic Violence from an action stemming either inside or outside the office, consequences regarding employment may result up to and including termination. If an employee is arrested or charged with Domestic Violence or any other crime, they are required to report it immediately to their supervisor, the Chief Deputy or the Front Office.

DEFINITIONS:

"Domestic Violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another, or (c) stalking as defined in RCW 9A46.110 of one family or household member by another family or household member.

"Family or household members" means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

"Dating relationship" means a social relationship or a romantic nature. Factors that may be considered in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

"Workplace" is defined as county facilities, county vehicles, county premise, employer-sponsored events, or while conducting county business. Telecommuting work sites are not included in the definition of "workplace" for purposes of this policy.

POLICIES:

The King County Prosecuting Attorney's Office will not tolerate domestic violence in the workplace.

Management will make reasonable efforts, when circumstances of domestic violence are known to the employee's manager, to:

Encourage an employee who is a victim of domestic violence to seek assistance.
Provide referrals, as appropriate.

Create a workplace safety plan, when appropriate, or take other reasonable measures to ensure employee safety.

Post information about domestic violence and available resources in county buildings where appropriate.

Management may take corrective or disciplinary action up to and including termination against an employee in cases where there is cause to believe the employee used county resources to perpetrate domestic violence; threatened, or committed an act of domestic violence in the workplace; or perpetrated off-duty domestic violence that affects job performance or has an employment related nexus or results in a criminal conviction.

The Front Office shall ensure that managers, supervisors and human resource professionals receive information regarding domestic violence.

EMPLOYEE ACTION

Employees who are the victim of domestic violence are encouraged, as appropriate, to take the following steps:

If imminent danger exists, call 911.

Ask for assistance from a supervisor, manager, or human resources professional.

Notify the supervisor, manager, or human resources professional of any safety or security concerns related to employment, including work assignment or work location.

Contact the Employee Assistance Program and/or other resources for assistance.

If a court order has been issued that prohibits the perpetrator from contacting the employee as a result of domestic violence, provide a copy of the order to the supervisor, manager, or human resources professional. Submit a recent photograph or detailed description of the perpetrator to the supervisor, manager, or human resources professional.

Employees who believe they have witnessed domestic violence in the workplace shall notify a manager, supervisor, or human resources professional immediately.

MANAGEMENT RESPONSIBILITIES

If a manager or supervisor becomes aware that an employee is a victim of domestic violence, the following steps which are reasonable and practical in the work place setting should be taken as appropriate:

If imminent danger exists, call 911.

Consult with the Employee Assistance Program and the department's human resource professional for advice and assistance in developing a strategy for addressing the issue.

Where appropriate, develop a workplace safety plan in consultation with the employee who is a victim of domestic violence, the Employee Assistance Program, the human resources professional, or other appropriate resources.

Encourage the employee who is a victim of domestic violence to seek assistance from the Employee Assistance Program and/or other resources.

For safety or security reasons, consider the following assistance when requested by an employee who is a victim of domestic violence, if consistent with the practical realities of operating the business:

Temporarily adjusting or changing the employee's work schedule

Temporarily changing the employee's work site.

Grant accrued or unpaid leave consistent with the provisions of the collective bargaining agreements, and PAO leave policies to allow employees who are victims of domestic violence to obtain medical treatment, counseling, legal assistance, temporarily to leave the area, or to make other interim arrangements to create a safer situation for themselves.

Other assistance as may be deemed reasonable and appropriate by management.

If provided with a current court order prohibiting the perpetrator from contacting the employee victim, take business-practical and reasonable measures to facilitate compliance with the order within the workplace.

Retain a copy of the court order and provide a copy to law enforcement, building management and building security personnel if, due to a violation of the order, police are summoned to the workplace.

If provided a photograph of the perpetrator, ensure that a copy of the photograph is provided to building management, building security and appropriate staff in a position to observe visitors to the working area.

To the extent possible, treat information about an employee victim, including the victim's whereabouts, as confidential. Where necessary, apply restrictions to internal telephones, electronics, standard information dissemination protocols, departmental and county publications, to the extent allowed by law and consistent with business needs.

Consult with the Information Technology management in the Office of Information Resources Management to identify potential tools and strategies to restrict access to the employee.

If a manager, supervisor, or human resource professional becomes aware of an employee who is a perpetrator of domestic violence in the workplace, the following steps should be taken, as appropriate:

If imminent danger exists, call 911.

If necessary, take reasonable and practical steps to provide for the safety of persons present in the workplace as outlined herein.

If there is reason to believe a crime has been committed, contact the Front Office immediately. The Front Office will call the police and cooperate with any police investigation.

Consult with Human Resources and members of the Front Office to determine whether an employment investigation should be conducted. (Note: To the extent possible the employment investigation should be conducted in a manner that will not interfere with any criminal investigation.) Depending upon the nature of the charge, employees may be placed on administrative leave pending the outcome.

At the recommendation of Human Resources, impose corrective action or discipline as appropriate.

RESPONSIBILITIES:

The Front Office shall be responsible for the dissemination of the policy; providing information and training on issues of domestic violence in the workplace to supervisors and managers; providing educational opportunities to employees on the subject of domestic violence and posting information about domestic violence and available resources in county buildings where appropriate.

NOTE: The King County Prosecuting Attorney's Office does not tolerate domestic violence in the workplace or domestic violence which has a job-related nexus. Such actions are misconduct in violation of this policy and may be subject to discipline, up to and including termination. However, this policy does not create an employment contract or term or limit the reasons for dissolution of the

employment relationship. This policy does not constitute an express or implied contract, specific promise or duty. It is a general statement of the King County Prosecuting Attorney's Office policy, which cannot form the basis for a private right of action.

DRESS CODE POLICY

It is the policy of the King County Prosecuting Attorney's Office to present a professional image. As an employee of this office, we expect you to present a clean and business-like appearance when you represent the office.

Management, attorneys, advocates and other personnel who come in contact with clients or the public are expected to dress in accepted traditional professional attire.

Revealing clothing and athletic-wear should be avoided. In addition, excessive perfume or cologne can be offensive to others and should also be avoided.

The policy is deserving of this elaboration, so that we all understand what is expected:

1. Fridays-only are reserved for business casual wear, including jeans (blue or otherwise), Hawaiian shirts, collared polo shirts, and, of course, office logo wear. Attorneys and staff who are required to be in court on Fridays should dress professionally as if it were Monday-Thursday. Ripped jeans, t-shirts, shorts and "flip-flops" are not considered business casual wear. Employees are always free to exceed Friday's minimum standard of "business casual".

2. Mondays through Thursdays stand in contrast to Fridays, where we expect employees, staff and attorneys alike, to wear professional business attire. This is admittedly a subjective standard, but to paraphrase Justice Potter Stewart, "you know it when you see it." Professional business attire can include slacks or khaki pants, but not jeans (of any color). Male deputies are encouraged to wear ties when meeting with clients and members of the public, and must wear coat and tie when appearing in court.

3. Having a "court suit" hung up in your office is a good idea, but it is not a substitute for actually wearing professional business attire.

4. Supervisors will be happy to answer any questions about appropriate office attire. Supervisors are responsible for the enforcement of this dress code policy and will individually counsel attorneys and staff who choose clothes for the office that do not meet expected standards of professionalism. Supervisors may grant limited exceptions to the dress code for employees who install computers, work in the basement or otherwise do work where clothing may get dirty or damaged.

PAO Technology Social Media Policy & Guidelines

1. Introduction: It is the purpose of this policy to give employees and volunteers guidance about appropriate and inappropriate uses of technology in the office and for social media communications that may relate to their employment or volunteer service at the PAO.

2. Applicability: PAO employees and volunteers who are using PAO Technology Resources, with some applicability to personal Social Media use and office-related use of Personal Devices.

3. Definitions

Technology Resource: A King County owned device, computer resource or information system, that is provided by the PAO and used for PAO business purposes, including desktop computers, laptop computers, Prosecutor by Karpel (PBK), PAO-issued smart phones, cell-phones pagers, or other mobile computing or communication devices. This definition also includes office-related electronically stored information.

Minimal Personal Use: Use that is brief in duration and frequency, does not interfere with or impair the conduct of official business, and results in negligible or no additional expense to the county.

Personal Device: Any privately-owned computing or communication device, such as a personal smart phone, cell phone, tablet, desktop, or laptop computer.

Social Media: Various forms of web-based discussion and information sharing, including social networks, blogs, video sharing, podcasts, wikis, message boards, chat rooms and online forums. Examples include, but are not limited to: Facebook, LinkedIn, Instagram, Twitter, Google Plus, YouTube and news media comments and sharing.

Confidential Information: Non-public information that is privileged, subject to legal protection, or exempt from public disclosure.

For all employees and volunteers, this includes information pertaining to employee or volunteer home addresses, emergency contact information or medical conditions.

For members of the Criminal Division, examples of confidential information include information pertaining to: prosecution legal strategy, case-related deputy prosecuting attorney opinions and mental-impressions, PBK blue notes, legal research, draft pleadings, pre-filing police reports, non-conviction data and all NCIC data, social security numbers, credit card and bank account numbers, jail records, juvenile records, autopsy reports, medical records, CPS records, inquiry judge records, and information revealing the identity of child victims of sexual assault.

For members of the Civil Division, examples of confidential information include attorney legal advice, civil litigation strategy, draft pleadings, case-related attorney opinions and mental impressions, attorney-client privileged communications or information, information protected by RPC 1.6 (Confidentiality of Information), private information about county employees and volunteers, social security numbers, credit card and bank account numbers and information subject to protective orders or court standing orders.

For members of the Family Support Division, examples of confidential information include data contained in Support Enforcement Management System (SEMS), attorney legal advice, support-enforcement litigation strategy, case-related attorney opinions and mental impressions.

4. PAO Technology Policies

Acceptable Use of Technology Resources: Employees and volunteers must ensure that PAO Technology Resources are used appropriately for PAO business.

Employees and volunteers must use Technology Resources to increase productivity, facilitate the efficient and effective performance of their duties, and meet the daily operational and business requirements of the PAO, including, but not limited to:

- Performing assigned responsibilities and duties;
- Accessing authorized office-related information;
- Locating witnesses;
- Researching relevant legal and factual issues;
- Communicating with clients, colleagues, partners and third-parties for office-related purposes;
- Accessing online training resources;
- Complying with PAO information technology security policies and procedures, and federal, state, and local laws concerning computers, networks and personal conduct; and
- Interacting with office and county programs, such as PeopleSoft or Healthy Incentives.

Prohibited Use of Technology Resources: Employees and volunteers must refrain from using Technology Resources for prohibited uses at all times, including during breaks or outside of their regular business hours. Prohibited use of Technology Resources is subject to disciplinary action, up to and including termination from PAO employment. Prohibited use includes, but is not limited to:

- Conducting private or personal for-profit or unauthorized not-for-profit activities;
- Conducting any political activity;
- Conducting any solicitation for any purpose (solicitation includes school fund-raisers, unless posted in the Employee News), except those officially sanctioned by King County or the PAO such as the County Charitable Campaign;
- Accessing any restricted, non-public computing resources, databases, or other Technology Resource such as criminal history information, jail or DOC databases, PBK, or SEMS, for personal, non-work purposes;
- Conducting any unlawful activities as defined by federal, state, and local laws or regulations;
- Creating, accessing, displaying or transmitting sexually-explicit, indecent, obscene, or pornographic, material, except as part of office-related duties (isolated, accidental access of such material should be reported to a supervisor);
- Creating, accessing, displaying or transmitting material, including jokes, images and videos content, that could reasonably be considered to be harassing or discriminatory based on a legally-protected characteristic (such as race, gender, sexual orientation, national origin, veterans status or disability), except as part of office-related duties;
- Creating, accessing, or participating in online gambling, including office sports pools;
- Infringing on any copyright, trademark, patent or other intellectual property rights, including copying or using unlicensed software, images, music, movies, or

other intellectual property (an employee may use a limited portion of a copyrighted work for CLE purposes);

- Performing any activity that is reasonably likely to cause the loss, corruption of, or security breach of PAO Technology Resources;
- Creating or forwarding chain letters or pyramid schemes of any type;
- Routinely streaming audio or video or non-work related purposes, including online music, video file-sharing such as YouTube, sporting events and similar activities (such streaming – a.k.a. “bandwidth hogging” -- can slow down online access for office-related purposes); and
- More than Minimal Personal Use.

Minimal Personal Use: Employees and volunteers may use Technology Resources for Minimal Personal Use, provided that the use is not prohibited, as defined above. For hourly employees, such use should generally be confined to breaks and lunch periods. Employees and volunteers should avoid keeping personal social media applications, web-based email or personal web-pages open continuously on Technology Resources.

No Expectation of Privacy: Employees and volunteers have no expectation of personal privacy for any activity on Technology Resources, including Minimal Personal Use. Employees and volunteers should be aware that all activity undertaken on any Technology Resource is subject to review and auditing by the PAO or KCIT. All electronic communications and content on Technology Resources are potentially subject to disclosure, in accordance with public-disclosure laws, civil-litigation discovery rules, or as otherwise required by law.

Technology Resource Passwords: Employees and volunteers must not share any passwords needed to access Technology Resources, except on a need-to-know basis. Employees and volunteers are strongly encouraged to maintain password protection when they are away from Technology Resource, for example, by selecting the “on resume, display log-on screen” option in the Screen Saver Settings. If you are going to step away from your desk consider pressing [CrI]+[Alt]+[Delete] and then [Enter] to lock your screen.

Use of Mobile PAO Technology Resources: Employees and volunteers who utilize mobile Technology Resources such as unencrypted laptop computers must take reasonable steps to ensure that such assets are not lost or stolen. All mobile Technology Resources should have password protection, to mitigate the risk of any such loss. Passwords should not be posted on a device.

Use of Personal Devices for Office-Related Purposes: Employees and volunteers who choose to synch their Personal Devices to King County’s Exchange Server, OneDrive, or any Technology Resource (for instance, by synching work emails and calendars or using OneNote or OneDrive or similar applications), will maintain password protection on their devices and comply with any Mobile Device Management (MDM) policies required by KCIT. Employees and volunteers who use their Personal Devices for office-related uses, should be aware that they may be creating public records subject to record retention laws, particularly if their device is not synced to King County’s Exchange server.

Personal Devices may be subject to a request to do a public records review or discovery, if they are used to store unique public records, which are not available elsewhere. Employees and volunteers are encouraged to use the PAO’s official King County Exchange email, or the reminder function in PBK, to communicate office business. The PAO discourages the use of

private text messaging, SMS, Lync messaging or similar media to communicate substantive, office-related matters, which may constitute a public record, subject to retention requirements.

5. Social Media Policy

Official PAO Social Media Presence: It is the responsibility of the Front Office to act as the PAO's official spokesperson and maintain the PAO's official web presence via Social Media. Only specifically authorized personnel may represent the PAO's official policy and Social Media content.

Personal Social Media Use: The PAO recognizes that some employees and volunteers may have a personal presence on Social Media. Employees and volunteers who maintain a personal Social Media presence should be mindful of the PAO, its employees, its partners and its clients, and the office's mission when engaging with Social Media. Social Media can blur the line between what is personal and what is professional. Employees and volunteers should be mindful that the information and images used in their personal profiles and posted on Social Media are appropriate and reflect the image they wish to project.

The PAO encourages the use of official channels to raise concerns related to PAO policies and practices, workplace issues and working conditions. Nothing in these guidelines is intended to prohibit employees and volunteers from engaging in lawful-free-speech activities on personal Social Media. Such activity includes expressing political opinions on issues of public importance or engaging in lawful concerted or union activity. It also includes making a complaint, that is reasonable and in good faith, about working conditions, workplace treatment, discrimination, retaliation, improper government conduct, as defined by KCC 3.42.020(F), or that otherwise constitutes lawful whistleblowing activity.

In addition, if you choose to have a personal Social Media presence:

- Do not use a PAO email address as your contact information on personal Social Media.
- Do not claim to represent official PAO policy or to be an official PAO spokesperson unless you are a member of the Front Office, accessing the PAO's official Social Media.
- Do not post information that is defined as Confidential Information (see definition section above).
- Do not post information that could reasonably be perceived as jeopardizing the safety of any PAO employee or volunteer or their family, such as home addresses or private contact information.
- Do not create the perception that you, in your capacity as a PAO employee or volunteer, endorse or recommend a particular third-party that conducts official business with the PAO, such as criminal defense attorneys, bail bonds services, litigation vendors, or similar services.
- Minimize access to personal Social Media during work hours.
- Avoid creating the perception that you are spending excessive time on Social Media during work hours.

Violation of Social Media policy: PAO employees who violate these Social Media policies may be subject to discipline. In addition, such employees may be directed to remove, delete or take down any content that violates the policy.

Personal Social Media Guidelines: Given the professional nature of our work and office, the PAO offers the following suggestions for consideration regarding your personal Social Media accounts:

- Do not include the PAO logo on personal Social Media.
- Avoid profanity, especially on Social Media content, which may be accessed by the public.
- Do not express views, or post content, that could reasonably be perceived as discriminatory based on gender, race, national origin, veterans status, sexual orientation, religion, disability or other legally-protected characteristic.
- Do not post content that advocates, or could reasonably be perceived as advocating, conduct that is illegal under state or federal law.
- Avoid posting content that undermines the PAO's mission as a law enforcement agency.
- Avoid posting content that causes undue workplace disruption by distracting employees from their office duties during business hours.
- Be mindful and appropriate in posting information that relates to your PAO service.
- Do not post anything about an ongoing criminal prosecution being handled by the PAO, that could be perceived as an attempt to influence the jury pool or violate the WSBA Bench-Bar-Press Committee *Statement of Principles – Considerations in the Reporting of Criminal Proceedings*. See: http://www.courts.wa.gov/committee/?fa=committee.display&item_id=59&committee_id=77
- Postings should comply with other PAO policies on political activities and the King County Ethics Code. See: <http://www.kingcounty.gov/employees/ethics/ecomplete.aspx>
http://paoweb/Admin/Policy%20Manual/PAOPolicyManual.htm#KING_COUNTY_PROSECUTING_ATTORNEYS_PHONE_POLICY
- Do not endorse King County Superior or District Court judge candidates. “Liking” or “following” a candidate on social media is not considered an endorsement.
- If you endorse any kind of other political candidate, you must comply with applicable campaign finance disclosure laws, but do not imply that the candidate has been officially endorsed by the PAO or the elected King County Prosecutor. While employees are at liberty to endorse candidates for office other than District or Superior Court judge, they should not use their title in the PAO, but rather simply their name.
- Remember that information on Social Media may exist indefinitely, even after you have forgotten about it.
- Remember that information you post on Social Media may not be owned or controlled by you, that access-rights and policies could be changed by the host or ignored by other users, resulting in information being shared with a wider audience than you initially intended.
- Be mindful of the fact that information on Social Media may be searched or discovered by third-parties, who may try to use that information to discredit you or harm you professionally.
- If you post images of your children or family, be mindful that you work for a law-enforcement agency and that others, who may want to harm or intimidate you, may have access to that information. Respect other employees' wishes about having images of themselves or their families posted on Social Media.

PAO POLICY ON NONDISCRIMINATION, ANTI-HARASSMENT AND INAPPROPRIATE CONDUCT

The King County Prosecuting Attorney's Office (PAO) is committed to maintaining a respectful, productive, inclusive and equitable workplace. Therefore, all employees are expected to act with fairness, civility, integrity and to treat all coworkers equitably. Discrimination, harassment, retaliation, and other inappropriate conduct that undermines the integrity of the employment relationship are prohibited. All complaints of conduct inconsistent with these expectations, regardless of whether the conduct rises to the level of unlawful discrimination, harassment or retaliation will be investigated and substantiated complaints will result in prompt, corrective action, up to and including termination. The PAO prohibits discrimination or harassment that is related to anyone's race, color, sex, age, creed, disability, marital status, national origin, religion, pregnancy, gender, gender identity or expression, genetic information, sexual orientation, veteran or military status, use of a service animal, and any other status protected by federal, state and local law. Additionally, the PAO prohibits retaliation of any kind against employees, who in good faith, report harassment, discrimination or retaliation, or assist in the investigation of such complaints.

DEFINITIONS

Discrimination occurs when an employer takes a discrete adverse employment action against an employee and the employee's protected status was a substantial factor in the employer's decision.

- **Disability Discrimination** occurs when the employer knows that an employee is unable to perform an essential function of the job due to a disability and fails to provide a reasonable accommodation that would enable the employee to perform the essential function.

Discrete Adverse Employment Action, in the case of discrimination, is an action that substantially affects the terms, conditions, or privileges of employment. It includes, but is not limited to, discipline, discharge, layoff and a failure to hire or promote.

- **In the case of retaliation**, it is an action that would discourage a reasonable employee from making a complaint or participating in a discrimination, harassment or retaliation investigation or proceeding.

Protected Status includes an employee's sex, age, creed, disability, marital status, national origin, race, color, religion, pregnancy, gender, gender identity or expression, genetic information, sexual orientation, veteran or military status, use of a service animal, and any other status protected by federal, state and local law.

Harassment is unwelcome conduct that can take many forms, including but not limited to, innuendoes, unwelcome compliments, suggestive or insulting noises, facial expressions, vulgar language, nicknames, slurs, derogatory comments, cartoons, jokes, pranks, written materials, and offensive gestures or touching. It is illegal when:

- Enduring the conduct becomes a condition of continued employment; or
- The conduct is severe or pervasive enough to create an environment that a reasonable person would consider intimidating, hostile or abusive.

Sexual Harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, displays of sexually oriented material, or other verbal or physical conduct of a sexual nature:

- Is explicitly or implicitly made a term or condition of employment;
- Is used as a basis for an employment decision; or
- Unreasonably interferes with an employee's work performance, or creates an intimidating, hostile or otherwise offensive environment.

Both the victim and the harasser can be the same gender or gender identity.

Retaliation occurs when a supervisor or manager takes a discrete adverse employment action against an employee because the employee reported discrimination, harassment or retaliation or assisted in the investigation or proceeding of such complaints.

Inappropriate Conduct is conduct that, while not rising to the level of unlawful discrimination or harassment, communicates a hostile, derogatory or negative message about persons based on protected status. Inappropriate conduct can be either verbal or nonverbal and includes slights, insults and other conduct that a reasonable person would find offensive.

Disability is a sensory, mental or physical impairment that: (1) is medically recognized or diagnosable; (2) exists as a record or history; or (3) is perceived by the employer to exist, whether or not it actually exists. A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, limits the ability to work generally or work at a particular job, or limits any other activity.

REPORTING PROCEDURES

Reporting Discrimination, Harassment, Retaliation or Inappropriate Conduct

If you believe that you have been the subject of inappropriate, discriminatory or harassing conduct in violation of this policy, or you have been subjected to retaliation for reporting such conduct, you should report the conduct to your supervisor, the Chief of Staff, your Division Chief or the Human Resources Director.

All information will be maintained on a confidential basis to the greatest extent possible. However, such information is subject to disclosure under Washington's Public Records Act, RCW 42.56, and RCW 41.56, or for relevant litigation. Additionally, information may need to be disclosed to employees in order to carry out the purpose and intent of this policy.

If you feel that your complaint is not being adequately addressed by the managers listed above, please contact the Chief of Staff.

If you are concerned that you or another King County Employee have been subjected to treatment in violation of this policy and you want to have a confidential discussion about your concerns, please contact the Employee Assistance Program at 206-477-0632 or 206-477-0631, or Making Life Easier at 1-888-874-7290. These resources offer comprehensive programs and services that help King County employees, and their families, to be healthy and safe.

RESPONSIBILITIES

Responsibilities of All PAO Employees

All employees in the PAO shall be responsible for:

- Acting professionally and refraining from discriminatory, harassing, retaliatory or inappropriate conduct;
- Becoming familiar with the provisions of this policy, complying with all requirements of this policy, and cooperating with any inquiry under this policy; and
- Promptly reporting, as outlined above, any incident of discriminatory, harassing, retaliatory or inappropriate conduct that the employee experiences or observes. The PAO cannot correct discriminatory, harassing, retaliatory or inappropriate conduct if the conduct is not known.

Where an inquiry establishes that an employee engaged in discriminatory, harassing, retaliatory or inappropriate conduct, the employee will be subject to appropriate corrective

action, up to and including termination. The corrective action issued will be proportionate to the severity of the misconduct.

Responsibilities of the Human Resources Director

The Human Resources Director shall be responsible for:

- Receiving allegations of discriminatory, harassing, retaliatory or inappropriate conduct;
- Promptly conducting or overseeing fair and impartial investigations into allegations of discriminatory, harassing, retaliatory or inappropriate conduct;
- Advising supervisors and managers on the provisions of interim relief to the complaining party pending the outcome of the investigation to ensure further misconduct does not occur;
- Communicating with the complaining party about the status of the investigation, the resolution of the investigation, and what actions will be taken, if applicable;
- Advising the relevant Division Chief and the Chief of Staff about allegations of discriminatory, harassing, retaliatory or inappropriate conduct and the resolution of those allegations under this policy;
- Documenting the allegations received and the steps taken to address them.

Responsibilities of Supervisors and Managers

All supervisors and managers shall be responsible for:

- Acting promptly and appropriately to prevent discrimination, harassment, retaliation or inappropriate conduct in the workplace;
- Reporting to the HR Director, as outlined above, any incident of discrimination, harassment, retaliation or inappropriate conduct that they witness or is otherwise brought to their attention;
- Receiving and handling allegations of discrimination, harassment, retaliation or inappropriate conduct promptly and appropriately, as outlined above;
- In consultation with the HR Director, providing interim relief to the person who complained about discrimination, harassment, retaliation or inappropriate conduct pending the outcome of the investigation to ensure that further misconduct does not occur; and
- In consultation with the HR Director, taking prompt and appropriate corrective and disciplinary action, up to and including termination, against employees who have engaged in discriminatory, harassing, retaliatory or inappropriate conduct or who have not carried out their responsibilities under this policy.

Responsibilities of Division Chiefs

All Division Chiefs shall be responsible for:

- Acting promptly and appropriately to prevent discrimination, harassment, retaliation or inappropriate conduct in the workplace;
- In consultation with the HR Director, insuring that interim relief is provided to the person who complained about discrimination, harassment, retaliation or inappropriate conduct pending the outcome of the investigation to ensure that further misconduct does not occur; and
- In consultation with the HR Director, taking prompt and appropriate corrective and disciplinary action, up to and including termination, against employees who have

engaged in discriminatory, harassing, retaliatory or inappropriate conduct or who have not carried out their responsibilities under this policy.

Consequences of Non-Compliance

Any employee, manager, supervisor, the HR Director, the Chief of Staff or any Division Chief is found to have failed to properly carry out the responsibilities outlined above, shall be subject to appropriate corrective action, up to and including termination.

ADDITIONAL RESOURCES & AVENUES FOR REPORTING AVAILABLE TO EMPLOYEES

King County Civil Rights Program, Office of Equity and Social Justice, <https://kingcounty.gov/elected/executive/equity-social-justice/civil-rights.aspx>

- The enforcement unit of the Civil Rights Program investigates and resolves complaints of discrimination, provides education and offers technical assistance. They work as impartial fact-finders and do not represent any party.

Washington State Human Rights Commission, <https://www.hum.wa.gov/>

U.S. Equal Employment Opportunity Commission, <https://www.eeoc.gov/>

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the PAO Policy on Nondiscrimination, Anti-Harassment and Inappropriate Conduct.

I understand that the policy prohibits discrimination, harassment, inappropriate conduct and retaliation on the basis of race, color, sex, age, creed, disability, marital status, national origin, religion, pregnancy, gender, gender identity or expression, genetic information, sexual orientation, veteran or military status, use of a service animal, and any other status protected by federal, state and local law, and provides a complaint process to resolve such allegations.

I agree that I have received and understand the PAO Policy on Nondiscrimination, Anti-Harassment and Inappropriate Conduct.

Printed Name: _____

Signature: _____

Date: _____

The Public Records Act

The Act:

- Passed by Initiative in 1972
- All public records are subject to disclosure unless an exemption applies
- Agencies must respond promptly and provide assistance to requestors

The Request:

- Requests are usually in writing but do not have to be
- Look for language such as:
 - ❖ Public records request
 - ❖ Freedom of Information Act (FOIA)
 - ❖ Formal records requests
- Beware of hidden requests

Obligations:

- A response is required within five (5) business days. In the response, we must:
 - ❖ Provide the requested records
 - ❖ Acknowledge the request and provide a “reasonable” time estimate
 - ❖ Deny the request in accordance with the law
 - ❖ Seek clarification if the request is unclear
- Agencies are required to make records available for inspection and copying

What is a Public Record:

- Any writing, including electronic records
- Relating to the conduct/performance of government
- Prepared, owned, used or retained by any state or local agency

When an Exemption Applies:

- Variety of exemptions in the Public Records Act and other statutes
- Agencies must identify each record withheld or redacted and explain the applicable exemption
- If only a portion of a document is exempt, that portion is redacted and the remainder released
- Exemptions are narrowly construed in favor of the requestor

Common Exemptions:

- Attorney Work Product- RCW 42.56.290 and *Lindstrom v. Ladenburg*, 136 Wn.2d.595 (1998)
- SSN-RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).
- Autopsy Records- RCW 68.50.108
- Autopsy/Graphic Photos- RCW 42.56.240(1)
- Medical Records- RCW 70.02
- Jail Records-RCW 70.48.100
- Financial Account Information- RCW 42.56.230(4)
- Other Suspect Investigations- RCW 42.56.240(1) *City of Tacoma v. Tacoma News*, 65 Wn.App. 140 (1992)
- Juvenile Offenses and Records- RCW 13.50.050 and RCW 13.50.100

- Any information revealing the identity of a Child Victim of Sex Assault- RCW 42.56.240(5)
- Non-conviction Data- RCW 10.97.040, 050 and 080 and *Hudgens v. Renton*, 49 Wn. App. 842 (1987).

Employee Information:

- All applications for public employment, including names, resumes and other materials are exempt. RCW 42.56.250(2).
- Residential addresses, residential phone numbers, personal cell phone numbers, personal email address, SSN's and emergency contact information of employees or volunteers of a public agency.
- Names and dates of birth are exempt for dependents of employees and volunteers, but they are **not** exempt for employees and volunteers.
- Performance evaluations are generally exempt **except** portions that discuss specific instances of misconduct. *Dawson v. Daly*, 125 Wn.2d. 243, 845 P.2d. 995(1994).

Personal Email Address

- Work-related emails on personal accounts must be disclosed.
- Cannot redact personal email addresses from work-related emails sent from personal accounts.
- Cannot redact personal information in "mixed content" emails unless a specific exemption applies such as medical information, personal telephone number, etc.
- Non-redacted emails probably have to be produced in electronic format [showing forwards, deletions, etc.]

Mechling v. City of Monroe, Wn. App. 2009

Mandatory penalties of \$0 -\$100 per day , plus attorney's fees if the agency fails to comply.

A Summary of the King County Code of Ethics

The following information is a summary of the King County Code of Ethics and is not a substitute for reading the full code. For the full text of the code, go to the Board of Ethics Web site at www.kingcounty.gov/ethics or contact the Ethics office at 206-296-1586.

To obtain copies of the summary or the full text of the code in alternate formats for individuals with disabilities, call 206-296-1586 or TTY Relay: 711.

WHAT IS THE CODE OF ETHICS?

King County believes that public confidence in government is essential. The Code of Ethics is a county law that supports this policy by setting standards to make sure all of our transactions and decisions are fair and honest.

WHAT DOES THE CODE DO?

When its provisions are followed, the code ensures that the personal and financial interests of employees and elected officials do not present a real or apparent conflict of interest in our responsibilities to serve the public.

WHO IS SUBJECT TO THE CODE?

All county employees—including elected officials and citizens who serve as members of county boards, commissions or other multimember bodies—are subject to the code. It does not affect employees of the county's judicial branch, but does affect employees of the department of judicial administration.

THE PURPOSE OF THIS SUMMARY

Since all of us must follow the provisions of the Code of Ethics, we are providing you with a summary of the law in plain language. We have highlighted important code provisions and given examples of situations you may encounter while working at the county to help you make ethical decisions.¹

Just and Equitable Treatment (K.C.C. 3.04.020)

USE OF COUNTY PROPERTY

Your use of county property is limited to the conduct of official business and uses that are available to the general public. County property includes vehicles, facilities (buildings, conference rooms, etc.), equipment (computers, telephones, cell phones, copy and fax machines, etc.), materials, supplies, and county funds. For example, if you work at home using your office laptop computer, it is inappropriate to use the computer for personal business, even infrequently; using government resources for personal convenience or profit is a misuse of taxpayer dollars and a violation of the code.

PREFERENTIAL TREATMENT AND USE OF OFFICIAL POSITION

You have an obligation to treat all citizens equitably and fairly. You may not grant any special consideration, treatment, or advantage beyond that which is available to every other citizen, and using your official position to obtain special favors for friends, relatives, business associates, or yourself is prohibited.

POLITICAL ACTIVITIES

You are encouraged to participate in the political process on your own time and outside of the workplace, but you may not use county facilities for such purposes. You may not use county property, including phones, e-mail, or copy machines, on behalf of political candidates or ballot issues, even during your lunch hour.²

Avoiding Conflicts of Interest (K.C.C. 3.04.030)

BUSINESS RELATIONSHIPS

A conflict of interest occurs when you have a personal or financial interest in any matter in which you participate or have job responsibilities as a county employee. These interests could influence, or appear to influence, your professional judgment and affect your official decision-making. Conflict of interest includes:

- Seeking or receiving economic gain for personal or family use through access to privileged information or official position. For example, if you are working on the specifications of a county contract that requires construction services and your brother owns a construction company, you are prohibited from telling your brother the details of the specifications before they become public.
- Possessing a financial interest in a firm or organization that does business or seeks to do business with the county and not disclosing that interest. For example, if you are seeking a land development consultant for a county project and you are a part owner in a development business, you must disclose this fact.
- Participating in or seeking to influence the selection of persons, firms, or organizations doing business with the county when having a financial interest in the outcome. For example, if your spouse is the director of a non-profit organization competing for a contract with your county agency and you have any job responsibilities related to the contract, you must disclose this fact.³

OUTSIDE EMPLOYMENT

As a county employee, it is a conflict of interest for you to enter into a business relationship outside county government with any employee for whom you have supervisory responsibility. It is also a conflict to enter into a business relationship with someone you deal with in an official capacity as a county employee. Other conflicts that could arise from outside employment:

- Discussing an offer of future employment with anyone doing business or seeking to do business with the county if you have reason to suspect that the offer is intended in any way as compensation or reward for the performance or non-performance of your duties as a county employee.
- Discussing an offer of future employment with a person doing business or seeking to do business with the county if you have job responsibilities related to that person, unless you have first disclosed in writing to your appointing authority that you intend to discuss future employment with that person, and your appointing authority has designated in a memorandum filed with the Board of Ethics a method of providing for an alternate decision-maker in matters involving that person.
- Awarding a county contract or participating in an action that benefits a former employer within one year of beginning employment with the county.
- Failing to disclose your status as an employee, agent, officer, partner, director, or consultant of any person doing business or seeking to do business with the county in matters in which you participate or have any job responsibilities.

- Accepting compensation or engaging in any type of employment or service that is incompatible with the official and proper discharge of your county duties, or in any action that could impair your independent judgment in an official capacity.⁴

ACCEPTANCE OF GIFTS

Accepting anything of value, either directly or indirectly, from any person, business, group, or organization that does business or seeks to do business with the county in an area where you have responsibility, or when such acceptance could reasonably be considered to impair your professional and independent judgment, is prohibited. For example, if you're a manager who administers contracts within your department and a vendor sends you a gift basket in appreciation for the county's business during the year, it is inappropriate to accept the gift. Even if you are not in a position to influence the selection of vendors for the department, you may not accept gifts from contractors. For example, if a vendor who supplies your agency comes into your office and gives you a desk clock, acceptance is inappropriate. Despite the fact that you make no contract or purchasing decisions, the clock is a gift and could make other vendors feel obligated to provide similar gifts. In addition, displaying any items with vendor logos might also imply county endorsement. Exceptions are made for informational, but not promotional, materials, and for ceremonial gifts valued under \$20 on special occasions. If you receive a gift, return it to the donor within 30 days of receipt or give it to a charitable organization. If you donate it to charity, you may not take a tax deduction for the donation.⁵

MEALS AND REFRESHMENTS

Although it is a common business practice to take clients to lunch or dinner, or to allow them to take you, this is not acceptable for public employees. If you are invited to lunch by someone who does business or seeks to do business with the county in a matter for which you have responsibility or may participate, pay for your own meal. If you are invited to a reception, open house, or similar event by vendors, consultants, or others who do business or seek to do business with the county, either decline the invitation or pay market value for the cost of refreshments to avoid any perception of undue influence or conflict of interest. However, you may accept light refreshments, such as beverages and doughnuts or cookies, without payment if offered during the conduct of official business. For example, if a contractor invites your department to a reception to celebrate the completion of a project, pay for your refreshments. However, if you are attending a planning meeting to discuss a revised timetable for a project, no payment for light refreshments is required.

Post-Employment Restrictions (K.C.C. 3.04.035)

For one year after you leave county employment, you may not have a financial or beneficial interest in a contract or grant that was planned, authorized, or funded by a county action you participated in during your employment; or work as a contractor or subcontractor, whether or not for compensation, in any county action you participated in during your employment. For example, if you leave county employment to work for a consultant that has a contract with the county, and you had job responsibilities related to that contract as a county employee, you must wait one year before working on that same contract.⁶

Additionally, after you leave county employment you may not disclose or use any privileged or proprietary information gained by reason of your former employment for your personal benefit or the personal benefit of a member of your immediate family unless the information is a matter of public knowledge or is available to the public on request. You may not assist any person, whether or not for compensation, on matters in which you are personally prohibited from participating.

You may accept future employment with the county at any time, including employment with your former department, or appear before the county or seek a county action on your own behalf to the same extent other persons may appear before or seek actions by the county. However, for one

year after leaving county employment, you must disclose in writing your past county employment before participating in any county action.

MEMBERS OF COUNTY BOARDS, COMMISSIONS, COMMITTEES, AND MULTIMEMBER BODIES

If you're a member of a county board, commission, committee, or other multimember body, you are considered a county employee and all Code of Ethics provisions apply while you're engaged in service on behalf of the county. Additionally, for one year after leaving county service, you are prohibited from appearing before the board or commission on which you served or from receiving compensation for services to any business or person in any action in which you participated while serving on the board or commission. For example, if you helped write the specifications for a county grant as a board member, you may not apply for that grant for one year after leaving the board. This restriction also applies to partners or associates of businesses or persons in which you have a financial interest. For example, if you had any participation or responsibilities in a county contract as a board member, no one from the company you work for may vie for that contract for one year. 7

Disclosure of Interests by Employees (K.C.C. 3.04.050)

EMPLOYEES, ELECTED OFFICIALS, AND CANDIDATES

If you are an elected county official, an employee appointed by the county executive, an employee appointed by the county administrative officer or department director and subject to the approval of the county executive, an employee of the council, or an employee specifically identified by the Board of Ethics, you must file a statement of financial and other interests within ten days of employment or appointment and on or before April 15th of each year. In addition, if you're a candidate for county elective office, a nominee for appointment to any county elective office (except judicial), or a nominee for appointment to a county board or commission, you must file a disclosure statement within two weeks of nomination or appointment.

To find out if you must file due to your position with the county, consult your supervisor. The office of the Board of Ethics can provide you with a current list of criteria of who must file and filing procedures. For a copy of the disclosure statement or a guide to financial disclosure, visit the Board of Ethics Web site or contact the Ethics office.

Disclosure of Interests by Consultants (K.C.C. 3.04.120)

CONSULTANTS AND VENDORS

If you are a consultant entering into a contract with the county to provide professional or technical services to the county costing over \$5,000, you must file a consultant disclosure form with the Board of Ethics. No payment may be made on your contract until five days after receipt of the completed form. For a copy of the disclosure form or a guide to consultant disclosure, visit the Board of Ethics Web site or contact the Ethics office.

What Do I Do If I Have a Potential Conflict? (K.C.C. 3.04.037)

First, you must notify your supervisor in writing of the potential conflict. Then he or she must help you to resolve the issue and keep a written record of the disposition of the issue. You or your supervisor may also call the Ethics office for information on relevant provisions in the code and for past advisory opinions on similar situations.

Code of Ethics Complaints, Violations and Penalties

(K.C.C. 3.04.055 and K.C.C. 3.04.060)

Complaints asserting a violation of the ethics code are made to the Ombudsman. Upon receipt of a complaint, the Ombudsman will review the allegation to determine if it constitutes a violation of the ethics code. If the complaint is considered to be founded, or if the matter requires additional exploration, an investigation is initiated by serving the agency/respondent with a copy of the complaint. If the complaint is considered to be unfounded, investigation is declined.

Respondents in ethics complaints are afforded due process rights, such as the right to be represented by legal counsel or union representation, and the right to present witnesses and evidence. Written results of the investigation include a determination as to whether an ethics violation occurred. Respondents may appeal the Ombudsman's findings to the Board of Ethics.

The Ombudsman also investigates citizen complaints about the general operations of King County government (KCC 2.52), and employee reports of improper governmental action and retaliation pursuant to the Whistleblower Protection Code (KCC 3.42).⁹

The Code of Ethics includes provisions for criminal and civil penalties and disciplinary action for violations of the code. Civil penalties include a monetary amount not to exceed the lesser of one month's county pay or the amount authorized by law. In addition, if you are found in violation of the code, you may be subject to disciplinary action up to and including termination from employment. Such disciplinary action would be taken consistent with Career Service guidelines and your collective bargaining agreement (if any).

How Does the Board of Ethics Serve Me?

MISSION OF THE BOARD OF ETHICS

The mission of the Board of Ethics is to ensure the highest standards of public service by developing, disseminating, and promoting readily understandable ethics requirements for King County employees and agencies.

ADVISORY OPINIONS

If you are unsure whether an action or interest violates the code, you may request an advisory opinion directly from the Board of Ethics. Advisory opinions are intended to provide guidance and prevent future actions that may violate the code. Requests for advisory opinions must be submitted in writing to the Board of Ethics or its executive director. The board meets once a month, normally on the third Monday, to consider requests for advisory opinions and related issues. All meetings are open to the public and those requesting opinions are especially encouraged to attend. Visit the Board of Ethics Web site or contact the Ethics office for the full text of all advisory opinions.

ETHICS HELP LINE AND STAFF INFORMATIONAL RESPONSES

If you have a question you believe is related to the Code of Ethics, the Ethics staff is available to help you make ethical decisions. Call the Ethics Help Line at 206-296-1586. We are also happy to respond to your inquiry in writing with a staff informational response, providing guidance through Ethics Code references and existing advisory opinions.

TRAINING AND EDUCATION

The Ethics staff conducts weekly education sessions for new county employees, an in-depth seminar for supervisors, and on-site meetings with employees to address department-specific concerns. If you or your agency would like to discuss issues related to the Code of Ethics, contact your supervisor or the Ethics office to arrange for a meeting.

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