

WAC 292-120-035 Safe harbor provision. The board invites and encourages agencies to adopt policies that prevent agency employees from violating the Ethics in Public Service Act. Pursuant to RCW 42.52.360(6), the board may review and approve agency policies. In determining appropriate sanctions, the board may consider agency policies in effect at the time of the conduct. In addition:

(1) The board will not impose sanctions for conduct that would violate the Ethics in Public Service Act, if the conduct at issue was permitted under a board-approved agency policy, as provided for in RCW 42.52.360(6), prior to the conduct occurring.

(2) The effect of the safe harbor from sanction, as provided in WAC 292-120-035(1), shall be limited to conduct that conforms to a board-approved agency policy.

[Statutory Authority: RCW 42.52.360. WSR 18-09-080, § 292-120-035, filed 4/17/18, effective 5/18/18. Statutory Authority: RCW 42.52.360 (2)(b) and 42.52.425. WSR 02-04-003, § 292-120-035, filed 1/23/02, effective 2/23/02.]