

"The people of Hawaii believe that public officers and employees must exhibit the highest standards of ethical conduct and that these standards come from the personal integrity of each individual in government."

— Hawaii State
Constitution
Article XIV

Hawaii State Ethics Commission

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The High Road

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Learn Ethics in Five Minutes: Quick Guides!

Looking for some quick information about the ethics laws? For example, are you wondering what restrictions apply when employees want to start their own businesses? Or whether your office can accept that holiday box of gourmet pears from a vendor? Our Quick Guides to the Ethics Code may be just what you need. These guides discuss some of the more common ethics issues for employees. Here is a list of Quick Guide topics:

[General overview of the State Ethics Code for new state employees and state board/commission members](#)

[Gifts](#)

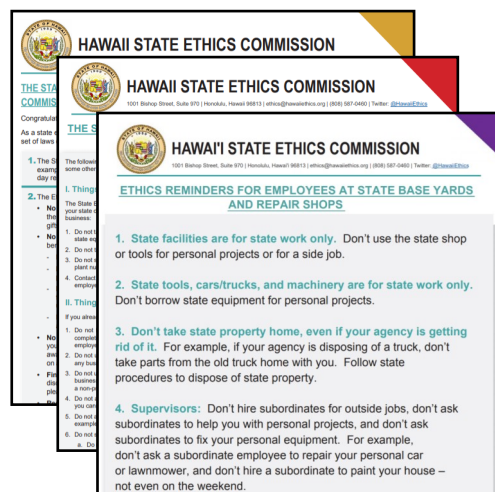
[Second jobs and other private business activities](#)

[Campaign activities by state officials/employees](#)

[Post-employment restrictions for employees who leave state service](#)

NEW [Reminders for employees at state base yards and repair shops](#)

NEW [Holiday Quick Guide](#)



All of the Quick Guides are posted on the State Ethics Commission's [website](#), along with other publications about the ethics laws. Remember that these publications are general overviews of the law. If you would like ethics guidance about a specific situation, contact our attorney of the day at ethics@hawaiiethics.org or 587-0460.



Holiday Quick Guide - Ethics for the Holidays



Are holiday gifts starting to appear at your state office? Has a company that works with your agency invited you to its holiday festivities? Our new [Holiday Season Ethics Guide](#) (page 3) has information about what to do and what not to do with gifts, prizes, and invitations to parties during the holidays. Remember that you can always contact the State Ethics Commission's office for guidance about gifts or any other holiday ethics issues.

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Advisory Opinions Shed Light on Ethics Rulings

One of the State Ethics Commission's most important functions is to provide advice about the ethics laws to state legislators, state employees, and the



members of state boards and commissions. Every year, the Commission's attorneys respond to hundreds of requests for advice. Most of these requests can be handled over the phone or by a staff opinion letter issued by one of the Commission's attorneys based upon well-settled interpretations of the ethics laws. In some cases, the Commission itself may issue a formal Advisory Opinion to an employee to resolve a question. Advisory Opinions are confidential, but the Commission publishes summaries of its opinions without disclosing the identities of the persons involved. These published opinions educate state employees and the public about how the Commission interprets and applies the ethics laws.

All of the Commission's published Advisory Opinion summaries are posted on the Commission's website. They include the following opinions issued in 2019:

Advisory Opinion No. 2019-1: a state board member, whose spouse is a member of a union, must recuse himself from representing the board in negotiations with the union.

Advisory Opinion No. 2019-2: a state agency may create a position funded by donations from the private sector to research and secure federal and private sector grants.

Advisory Opinion No. 2019-3: a legislator may represent a private client in submitting an offer to purchase state property from a state agency.

Advisory Opinion No. 2019-4: a state employee whose spouse works for a company is prohibited from taking action on matters affecting that company as well as matters affecting two subsidiaries of that company.

Advisory Opinion No. 2019-5: a former state employee is not prohibited from representing a private client in a federal lawsuit against the former employee's state agency.

Advisory Opinion No. 2019-6: a state agency is not prohibited from awarding a state benefit to a company whose chief executive officer is also a member of the agency's board of directors.

Advisory Opinion No. 2019-7: a state employee may accept a complimentary registration fee for a conference organized by a vendor that has a contract with the employee's agency.



Holiday Season Ethics Guide

This is the time of year when gift baskets and other holiday gifts begin to arrive in some state offices. Although the holidays may be a time for giving, state employees are reminded that they must not accept gifts from vendors, contractors, or anyone they regulate. This means you must not accept gifts from anyone seeking a license or permit from your agency, anyone who has (or might have) a contested case before your agency, or anyone who may be subject to fines or penalties by your agency.



You can contact us for quick, confidential, and free advice at ethics@hawaiiethics.org or (808) 587-0460. In the meantime, here are answers to some common holiday questions:

- Q** What should I do if someone shows up with a gift, but I know we can't accept it? It seems rude not to accept a holiday gift.
- A** Tell the person that you really appreciate the thought, but that under state ethics rules, you're not allowed to accept the gift.
- Q** Someone left a gift here, but I shouldn't have accepted it. What should I do?
- A** Call us! We may advise that you return it to the person who gave it to you, or we may advise that you donate it to a charitable organization (like a homeless shelter). Either way, we'll help you figure out what to do.
- Q** I got a gift basket from a contractor. Can I just share it with the office? What if I use it as a prize for our office's holiday party?
- A** No. It's still a prohibited gift, and sharing it with the whole office or using it for your office holiday party doesn't make it okay.

- Q** What should I do if someone shows up with a gift, but I don't know whether we can accept it?
- A** Contact us for advice, or politely decline the gift. Don't worry if the person already left your office: you can still call us for advice.
- Q** I'm a teacher, and students/parents sometimes give me small gifts at the holidays, like cookies.
- A** Yes, teachers, social workers, and other social services providers can accept small, unsolicited tokens of appreciation from students/clients.
- Q** Can I accept prizes/gifts from holiday parties and raffles?
- A** It depends. If it's your state office's holiday party, then probably yes – but whoever's organizing the party should contact us for advice on where the prizes are coming from, because soliciting donations for prizes – or accepting prizes from vendors, contractors, licensees, or permittees – can pose serious ethics issues. If you're invited to a private company's holiday party because of your state position, contact us for advice before attending. Going to your spouse's office's party is probably okay, but call us for advice if that company does business with your agency.

For more information about gifts, see our Quick Guide on Gifts at

<http://bit.ly/ethics-gifts>. If you'd like to read more about holiday-season ethics issues, see <http://bit.ly/ethics-holidays> and <http://bit.ly/ethics-sharing-gifts> (page 2).



Any other questions?

Contact us for quick, confidential, and free advice.



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