

*"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*

## **Hawai'i State Ethics Commission**

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# The High Road

*The High Road* is a publication of the Hawai'i State Ethics Commission

**Issue 2020-2**

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## **Gifts to State Employees During the Pandemic**



Many state employees have been working hard to keep government operations running during the COVID-19 pandemic. Some employees, such as state healthcare workers, have been on the front lines battling the virus. In appreciation, businesses and others in the community have offered employees gifts of food and other tokens of appreciation.

All state employees are subject to the State Ethics Code, which prohibits employees from accepting many kinds of gifts. The State Ethics Commission looks at three factors to determine whether a gift can be accepted: (1) the relationship between the donor and the employee receiving the gift; (2) the value of the gift; and (3) whether the State will benefit from the gift.

Here are some general gifts guidelines for employees:

- It is generally okay for state agencies to accept donations of personal protective equipment or other equipment or supplies from private donors. These are considered gifts to the State – not to individual employees – and are not prohibited by the Ethics Code. Once accepted, these gifts become state property and must be used or distributed in accordance with applicable state policies.



- It is generally okay for healthcare workers, teachers, and similar kinds of service providers to accept small, unsolicited gifts of appreciation – such as cookies or malasadas – from patients, their families, or community members. However:
- It is generally NOT okay to accept gifts from vendors or contractors, or from someone who is licensed, regulated, or inspected by an employee's state agency.
- It is generally NOT okay to accept cash or gift cards.
- It is generally NOT okay to ask for a gift.

We get a lot of questions about gifts. If someone offers you a gift, and you don't know if you can accept it, please call our advice line at 587-0460.

Also, if someone offers you a gift, you can always do the following:

- You can politely decline the gift: tell the person that you sincerely appreciate the gesture, but that state ethics rules don't allow you to accept gifts for doing your state job; or
- If you can't say "no," you can take the gift and donate it to a non-profit organization (like a homeless shelter or a food pantry).

For more information, read the State Ethics Commission's [Quick Guide on Gifts](#). And please call or e-mail the State Ethics Commission for confidential advice if you have questions about a specific gift and whether you can accept it – we'll get you an answer right away.

*“The purpose of this chapter is to . . . establish an ethics commission which will . . . render advisory opinions and enforce the provisions of this law so that public confidence in public servants will be preserved.”*

*Preamble,  
Hawai‘i Revised  
Statutes Chapter 84  
(State Ethics Code)*

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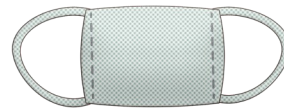
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## Private Business Activities Related to COVID-19

The COVID-19 pandemic has sparked a demand for face masks and other pandemic-related products. Some employees may be making or offering these products for sale to others. The State Ethics Code does not prohibit employees from having outside businesses, but it does prohibit employees from using their state positions or state resources for their private business activities.



Here are some general ethics guidelines for employees about private business activities:

- Do not use your state position to promote your private business.
- Do not advertise or take orders for private sales at work.
- Do not conduct private business during state work time.
- Do not use your state office or equipment (including your state computer or state e-mail) for private business.
- Do not solicit private business from anyone you supervise or regulate as a state employee.

For additional information, read the State Ethics Commission’s [Quick Guide on Second Jobs and Other Private Business Activities](#). And contact the Commission’s office if you have any questions about how the ethics laws apply to private business activities by state employees.

## Planning a Donation Drive? We Can Assist You with Ethics Advice



State employees who are considering donation drives or fundraising activities in their offices to help others in need during the pandemic are encouraged to contact the State Ethics Commission’s office for ethics guidance. We understand that these activities come with the best intentions, but they may unintentionally raise ethics questions about the use of state resources for private business purposes (which includes fundraising for private charities) and possible pressure by the State upon others to make donations. In cases where there may be a problem, we can sometimes assist by suggesting alternative steps to avoid these ethics questions or concerns. Please contact us for quick, confidential ethics guidance – we’re here to help!



## Hawai'i State Ethics Commission

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## Ethics Online Training Is Still Open– No Mask Required!

Due to health concerns about the COVID-19 virus, the State Ethics Commission has temporarily suspended its in-person ethics training classes. However, employees on all islands can still obtain ethics training by taking the Commission's online ethics training program. The online program only takes about thirty minutes and is available [here](#).



## Filing Deadlines Reminder

### June 1, 2020:

- [Financial Disclosure Statements](#) for State Officials (except legislators, whose disclosure statements were due by January 31, 2020)
- [Lobbying Expenditures and Contributions Reports](#) for January 1 – February 29, 2020
- [Lobbying Expenditures and Contributions Reports](#) for March 1 – April 30, 2020

June 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

### June 30, 2020:

- [Gifts Disclosure Statements](#) for June 1, 2019 – May 31, 2020

July 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

### July 20, 2020:

- [Financial Disclosure Statements](#) for Candidates for State Elective Office

All financial disclosure statements, lobbying reports, and gifts disclosure statements can be filed electronically. Use the hyperlinks above to access our e-filing system. If you have questions or need assistance, contact the State Ethics Commission's office at (808) 587-0460 or [ethics@hawaiiethics.org](mailto:ethics@hawaiiethics.org).