

# Wellness Ethics & Best Practices FAQ



As a wellness coordinator, you must make sure not to break ethics rules. You will not find an ethics ruling for every situation involving your wellness program. You may need to check with your organization's own policies. If you have an ethics question not answered here, [contact the Washington State Executive Ethics Board](#).

## 1. Where can I find wellness legislation or ethics opinions?

See [RCW 42.52.160](#) and [WAC 292-110-010](#) for wellness legislation. See the wellness advisory opinions from the Washington State Executive Ethics Board below (learn more at [www.ethics.wa.gov](http://www.ethics.wa.gov)):

- a. [Advisory Opinion \(AO\) 96-03](#): De Minimis Use of State Resources
- b. [AO 08-01](#): Authorizing Wellness Programs to Sell Products
- c. [AO 10-01](#): Use of Resources for Wellness Program

## 2. Can we offer our staff wellness activities before or after work (during hours adjacent to typical working hours) in our building?

Yes. [AO 96-03](#) does not prohibit use of state buildings for this purpose. However, each agency should confirm with its facilities staff.

## 3. Do we need to have signed waivers by all employees who use our exercise/fitness/wellness room for activities?

No. However, we recommend it a best practice. You can find sample waivers in our Team WorkWell Handbook.

## 4. Can we participate in corporate-sponsored events?

No. We strongly advise against the use of for-profit corporation-sponsored events.

## 5. Can we have staff sign up for corporate-sponsored prize drawings?

No. The [Washington State Executive Ethics Board](#) prohibits the personal use of state resources to enter prize drawings.

## 6. Are there restrictions on what wellness programs can promote internally?

Yes. We advise against using for-profit or politically motivated sites. These tend to include offers for the purchase of additional products or contain political messaging. We advise sticking to non-profit and government sites that offer wellness related information to avoid the appearance of 'taking sides' or promoting a particular political cause.

## 7. Can I promote a recipe (e.g., newsletter or intranet) without a formal vetting process?

Yes. However, we advise you to use recipes from established sources. For added protection, you can add a disclaimer to the recipe such as "Talk to your doctor to see if you need to modify the recipe for your specific dietary needs."

## 8. Can a guest speaker promote their personal businesses during their presentation?

No. Ethics guidelines do not allow guest speakers to market their services or products during their presentation. Guest speakers can only give the class their credentials and business name.

You also need to consider the ethics law against granting “special privileges or exemptions.” For example, you have multiple presentation requests from different yoga instructors. If you say yes to one and not to the others, you risk violating the “special privileges” section of the law. You need to have a formal vetting process in place to avoid breaking the law.

**9. How do we decide which businesses can attend our health fairs?**

Start with a formal vetting process. It is fine if you approve all requests. However, once you start to deny requests, you need the criteria in place to justify those decisions. Inviting businesses directly can also put you at risk. Questions can arise on how you decided. If you send invites, you should send multiple requests for participants in each category. Have each of them fill out an application to review and approve based on the criteria in place.

**10. Can we sign up for a community event as an agency and take part in an individual incentive offered by that event? For example, the Thurston County YMCA Challenge offered a coupon for a free pair of running shoes at a local business if 20 people registered for the race.**

Yes. However, there are restrictions. Wellness programs cannot have the agency pay individual fees and then give the gift to an individual employee. In this case, the coupon belongs to the agency, not to the individual. The agency could raffle the item for those who participated in the event. However, the winner must report the winnings (shoes) as taxable income.

**11. Can we use gift cards as incentives for our wellness program?**

Yes, but you must follow these guidelines:

- a. All gift cards must be equal to or less than \$50.
- b. The employee is responsible for reporting the gift card as taxable income to the IRS (the agency does need to report).
- c. An employee cannot receive more than \$50 from any one source in a year.