

FROM
OGC/ETHICS

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ETHICS REMINDERS FOR EPA EMPLOYEES

Many EPA employees have inquired about the possible ethical implications of sharing your personal opinions on science, policy or politics, particularly in social media. You as a United States citizen are free to express yourself about matters that are important to you, including ones that relate to EPA. Your ability to express yourself includes doing so in the workplace and in personal social media. But, when you do express yourself in the workplace or EPA (which *is* your workplace), there are three things you should bear in mind: the federal ethics rules continue to apply to you as they always have; the rules depend on whether you are speaking in your official EPA capacity or your individual personal capacity; and your expression of your views in the workplace needs to comply with agency orders prohibiting conduct that is “abusive or offensive,” or that constitutes harassment.

Understanding the Ethics Rules

While you may express yourself, please remember that you can’t misuse your federal position when doing so. We want to help ensure you understand every employee’s ethics obligations while being clear that we are not limiting or expanding your ability to act or communicate, nor taking any position in support of or against such actions or communications. This message explains the ethics rules you should consider when you speak or write or otherwise express your opinions.

Let’s start with the basics. The ethics rules have not changed because we have a new Administration. We, as EPA employees, are still bound by the [Hatch Act](#) and the [Standards of Ethical Conduct for Employee of the Executive Branch](#), and the [conflict of interest statutes](#). The ethics rules do not change depending on the type of forum. The same rules about [misuse of position](#), EPA’s [limited personal use policy](#), [fundraising](#) and the [Hatch Act](#) apply to your use of social media, tweeting or blogging as they do to non-virtual, more traditional forms of communication.

Understanding the Capacity In Which You Are Acting

In terms of ethics rules, we view any activity in one of two ways: either you are acting in your *OFFICIAL EPA* capacity, or you are acting in your *INDIVIDUAL PERSONAL* capacity. There is no in-between, no “professional” capacity category. It’s either official duty or individual personal capacity.

When speaking or writing, including blogging and in social media, you should be clear in what capacity you are communicating. We liken it to staying in your designated lane when driving: you can be in one lane of the highway or the other, and you can also switch lanes, but don't straddle the dotted line or weave back and forth. The safest drivers stay in the middle of their designated lane and signal appropriately when they are changing lanes. It's the same with ethics. The ethical employee knows and makes clear to others when she is acting in her official capacity versus her personal capacity.

Typically, an activity is undertaken in OFFICIAL CAPACITY when it is consistent with statutory authority and Agency or office mission and assigned duties. When working in your official capacity, you can use EPA time and resources, including EPA email address, EPA phone number, EPA equipment and property and, if applicable, subordinates. To participate in INDIVIDUAL PERSONAL CAPACITY, we urge you not to use your EPA email address or contact information and, if possible, not refer to EPA position or title. If you feel you must refer to your EPA position or title, then the prudential advice is to do so as one of several biographical details with EPA not having any undue prominence. You should be clear you are expressing an individual personal opinion, not speaking on behalf of the Agency. While the agency does have a limited personal use policy that allows some personal use of EPA equipment such as computers, if expressing a personal opinion publicly on a subject, it is safest to avoid the use of EPA equipment.

Understanding Some Limits on Conduct

Displaying offensive materials or engaging in conversations that constitute "abusive or offensive language, gestures, or other conduct" as listed in [EPA Order 3120.1](#) is prohibited. Harassment based on conduct that is threatening, intimidating, and/or bullying will not be tolerated, per [EPA Order 4711](#).

For Those Who Want to Know More

To assist you in navigating the ethics and Hatch Act rules that apply to communications, whether in personal or official capacity, we created a couple of charts. We hope they help guide you to stay in the correct ethics "lane." Treat your fellow employees with the dignity and respect we all deserve and to stay committed to and focused on our core mission, protecting human health and the environment. As always, if you have an ethics question, please don't hesitate to contact the OGC Ethics team, your regional ethics counsel or your [Deputy Ethics Official](#). To reach OGC Ethics, send an email to ethics@epa.gov.