

<p>Commonwealth of Pennsylvania</p>  <p>Pennsylvania Board of Probation and Parole</p>	<p>Volume I Chapter 1 Procedure 1.01.03</p>	<p>Date of Issue of Procedure 4-9-1990 Effective Date of Procedure 4-9-1990; 1.01.03-01, 2/17/16</p>
<p>Chapter Title GENERAL, POLICY, ACCREDITATION</p>		<p>Date of Issue 2/17/2016</p>
<p>Subject Code of Conduct</p>		<p>Effective Date 3/1/2016</p>

A. GENERAL RESPONSIBILITIES

All employees in the Commonwealth of Pennsylvania are responsible to perform their duties with integrity and impartiality and to avoid situations whereby bias, prejudice, or personal gain could influence official decisions. The following code applies to all employees of the PA Board of Probation and Parole and works in conjunction with the policies and procedures, including codes of conduct promulgated by the Commonwealth and/or any of its agencies or political subdivisions. All employees of the Board of Probation and Parole are required to comply with the provisions of those codes, policies, and procedures applicable to their specific work situation. All new provisions of this policy shall become effective April 6, 1990.

1. DISCRIMINATION

- a. The Board is committed to a policy of equal opportunity for all citizens, and therefore does not promote, condone, or otherwise tolerate discrimination in any form. Board employees shall not mistreat, treat differently, or display a demeaning attitude toward other employees, applicants, clients, or members of the public because of race, color, religious creed, handicap, age or sex, ancestry, national origin, sexual orientation, or union membership.
- b. Board employees shall insure that every work site of this agency is free of discrimination, sexual harassment or any harassment of employees, clients, or members of the public

2. ADVERSE PECUNIARY INTEREST

- a. No Board employee shall engage directly or indirectly in any business or private arrangement for profit, which accrues from or is based upon his/her official position or authority.

- b. Participation in the negotiation of or decision to award contracts, the settlement of any claims or charges in any contracts, the making of loans, the granting of subsidies, the fixing of rates, or the issuance of permits, certificates, guarantees, or other things of value to, with or for any entity which he/she has a financial or personal matter is prohibited.
- c. The scope of this provision shall include prohibition against entering into any type of business transaction or private arrangements with any client than an employee has a direct "working association, i.e., parole agent/client assigned to caseload.

3. REPRESENTATION OF INTERESTS

No Board employee shall represent or act as an agent for any private interest, whether for compensation or not, in any transaction in which the state has a direct or substantial interest and which could be reasonably expected to result in a conflict between a private interest of the employee and his official state responsibility. This includes but is not limited to representing the interest of clients.

4. GIFTS AND FAVORS

- a. **No employee or member of the Board may solicit or accept for the personal use of the employee, member, or another, a gift, gratuity, favor, entertainment, hospitality, loan or any other thing of monetary value, including in-kind gifts, from a person who:**
 - (1) Is seeking to obtain business from or has financial relations with the Commonwealth.**
 - (2) Conducts operations or activities that are regulated by the Commonwealth.**
 - (3) Is engaged, either as principal or attorney, in proceedings before the Commonwealth or in court proceedings in which the Commonwealth is an adverse party.**
 - (4) Has interests that may be substantially affected by the performance or nonperformance of the official duty of the employee.**
- b. **The only exceptions are limited to the following instances:**
 - (1) The solicitation or acceptance of something of monetary value from a friend, parent, spouse, child or other close relative under circumstances which make it clear that the gift is motivated by a family relationship or personal friendship rather than the position of the employee. Relevant factors in making such a determination include the history of the relationship (for example, does the friendship pre-date employment by the Commonwealth) and whether the family member or friend pays for the gift.**

(2) The acceptance of loans from banks or other financial institutions on customary terms of finance for proper and usual activities, such as home mortgage loans.

(3) Participation in widely attended gatherings free of charge is permissible when officials have been invited and are acting in furtherance of their official duties. But no food or drink can be accepted without payment at market value.

5. MISUSE OF INFORMATION

- a. No Board employee shall use, for his/her personal gain or for the gain of others, information obtained as a result of service or employment with the Commonwealth and not available to the public at large or divulge such information in advance of the time prescribed for its authorized release.
- b. No employee shall receive compensation for consultation, which substantially draws upon official ideas or data that have not been disclosed to the public.

6. MISUSE OF OFFICE FACILITIES AND EQUIPMENT

No Board employee shall use any Commonwealth equipment, including vehicles, supplies, or properties for his/her own private gain or for any reason other than official business consistent with Commonwealth policy.

7. SUPPLEMENTARY EMPLOYMENT

- a. No Board employee shall engage in or accept private employment or render services for a private interest unless such employment or service is reviewed by the Chief Counsel of the agency and is approved in advance by the Chairman. Supplementary employment may be undertaken only when not in conflict with the conditions of employment regulations promulgated by the Executive Board and, if applicable, the Civil Service Commission.

Furthermore, supplementary employment may be undertaken only when not in conflict with the conditions of employment or regulations promulgated by the government agency by which such official or employee is employed.

- b. This shall not prohibit individuals appointed or serve part-time on boards and commissions from pursuing their usual occupation; however, they will not perform services or receive compensation from persons or institutions which they regulated or otherwise conduct themselves in a manner inconsistent with the impartial administration of their official duties.
- c. Requests for outside employment must be made in compliance with Management Directive 515.18, Supplementary Employment.

8. HONORARIA

- a. No Board employee shall accept honoraria, speaking fees, or any other valuable consideration. Nor shall any appointed official or state employee

receive compensation for consultations, which draws upon ideas or data derived from his or her official duties. However, Commonwealth officials or employees may designate non-profit, charitable organizations to be recipients of honoraria or speaking fees offered to such Commonwealth employees or officials by groups, which customarily offer such honoraria to guests.

- b. This shall not apply to employees appointed to serve on other boards and commissions. However, they may not accept honoraria from groups that are regulated by the Board of Probation and Parole, or which could otherwise raise a legitimate question about their ability to fairly and impartially perform their official duties due to a direct link with the Board of Probation and Parole.

9. POLITICAL ACTIVITY

- a. No Board employee shall engage in any political activity such as campaigning, fund raising, canvassing, or poll watching during his or her specified working hours, or which is determined by the Secretary of Administration to conflict or interfere with the ability of the affected official or employee to effectively and efficiently carry out the duties and functions of his or her position.
- b. No Board employee shall, in any manner, coerce any other person in government service or employee to contribute time, money, or services to a political candidate or campaign.

B. SPECIFIC RULES AND REGULATIONS – BOARD OF PROBATION AND PAROLE

Every Board employee is expected to subscribe to principles, which advocate the development of the highest possible professional standards in dealing with fellow employees, as well as the services rendered by the agency to the client and the community.

1. Only the minimum amount of force necessary to defend oneself or others, to prevent serious injury or damage to property, or to arrest a client will be used.
2. There shall be no fraternization or private relationship of employees with clients, prospective clients, prison inmates, or family members of any of the preceding. This includes, but is not limited to; trading, bartering, and receiving gifts, money or favors from friends, relatives or representatives of a client, prospective client or inmate. "Prospective client" is defined as an individual under active supervision of the Board on special probation or special parole or a person who has been convicted of a crime and sentenced to a term of imprisonment under the Board's jurisdiction and who is awaiting parole consideration.
3. Orders by a supervisor to a subordinate must be executed promptly and faithfully by a subordinate even though the employee may question the wisdom of such order. The privilege of formally appealing the order may be done at a later date through either the supervisory command structure, civil service appeal, or the grievance process.

4. a. Employees are expected to treat their peers, supervisors, subordinates, and general Public with respect and conduct themselves properly and professionally at all times.

b. Unacceptable conduct or insolence will not be tolerated.
5. a. Employees may use their identification as an employee of the Board of Probation and Parole only for identification in performing the duties and responsibilities required in the scope of their employment.

b. Board identification may not be used where an employee may have other employment or in representing other interests.
6. Employees shall promptly report to their supervisor when they have direct knowledge of a violation(s) of the law, rules, and/or regulations of the Board of Probation and Parole either by an employee or a client, which would have an adverse effect on the agency's credibility and reputation.
7. a. Alcoholic beverages and controlled substances shall not be carried, stored, or consumed on state property (lease or owned) or in a state vehicle.

b. When a controlled substance, nonproprietary drug, or over-the-counter medication is used by an employee, which could possibly impair his/her ability/judgment as it relates to his/her job duties and responsibilities, the employee shall immediately notify his/her supervisor. Responsibilities include, but are not limited to, the operation of a state vehicle and carrying a Board-issued weapon.

c. The possession or use of illegal substances by an employee at any time is strictly prohibited.

d. An employee shall not report for duty in a condition which would prohibit or inhibit acceptable performance of the duties and responsibilities of his/her position.
8. a. Only those employees authorized by the chairman or his/her designee are permitted to carry agency approved weapons on state property in the course of their employment.

b. Those employees authorized to carry approved weapons shall be responsible for complying with all applicable provisions of both state and federal law.
9. Employees shall immediately notify their supervisor when they have been requested to, or subpoenaed to, testify in a criminal or civil case arising from conduct within the scope of their employment with the Board of Probation and Parole.
10. a. An employee shall not use a Commonwealth vehicle for personal business or for any other reason except as authorized, consistent with Commonwealth policy.

b. If involved in an accident while operating a state vehicle, the employee shall promptly notify the immediate supervisor, and follow the guidelines established in the Governor's Office Administrative Circular 76-25, dated May 9, 1976, and agency procedure.

11. a. Whenever a supervisor can substantiate that the performance of an employee is being influenced by a medical or psychiatric condition which is affecting or is likely to effect the employee's ability to perform assigned duties, the head of the agency, bureau director or district director may require such employee to undergo reasonable examination, evaluation and/or testing, at the expense of the agency, to determine the employee's fitness for duty.
 - b. An employee who has sustained an injury, illness, or any other condition incurred in the line of duty which could affect the employee's ability to perform assigned duties may be required by the head of the agency, bureau director, or district director to undergo reasonable examination, evaluation and/or testing, at the expense of the agency, to determine the employee's fitness for duty.
 - c. An employee who has suffered an injury, illness, or any other debilitating condition not incurred in the line of duty which could affect his/her ability to perform required duty assignments, may be required by the head of the agency, bureau director, or district director to obtain and submit a complete medical report from his/her physician concerning his/her physical and/or mental condition. The report shall include a detailed explanation and prognosis concerning the employee's injury, illness, or condition and any other pertinent information, which would aid in the evaluation of the employee's fitness for duty, prior to the employee's return to active duty.
 - d. An employee who knows that he/she will be unable to report for duty due to illness, emergency, or injury shall notify his/her supervisor in accordance with agency policy. In all cases, the employee must advise the supervisor of the expected date of return to active duty. The supervisor shall also be advised by the employee of a change in any conditions which may occur, after the original notification was given, which may require the further absence of the employee from work.
12. a. An employee shall submit any necessary and/or requested work-related reports in a timely manner and in accordance with existing regulations, policy and/or standards.
 - b. Reports submitted by employees shall be truthful and no employee shall knowingly enter or cause to be entered any inaccurate, false, or improper information or data, or misrepresent the facts in any agency or Commonwealth report or record.
 - c. No employee shall knowingly omit information which is relevant, essential, pertinent, and/or applicable to the agency of Commonwealth report or record.
13. During off-duty hours, employees will conduct themselves in such a manner so as to demonstrate the public's trust and confidence inherent to their positions as public employees. Any employee's conduct, which brings discredit to his or her profession, responsibilities, the Board of Probation and Parole, or public service at large, shall be subject to immediate discipline.
14. All employees shall participate in training that is mandated or required by the Board.

15. Gambling while on duty is strictly prohibited and illegal gambling is prohibited at all times.

16. All employees shall comply and cooperate with internal investigations conducted under the authority of the Board of Probation and Parole and respond to questions completely and truthfully. Procedure in cases that may result in criminal prosecution will include those rights accorded to all citizens of the Commonwealth.

C. ENFORCEMENT

These rules and regulations have been written in the best interest of the Board of Probation and Parole, its employees, and public, which we serve and protect. In the event of a conflict involved in interpretation, the best interest of public policy shall be served.

