



OREGON YOUTH AUTHORITY



Policy Statement

Part 0 – Mission, Values, Principles

Subject

Professional Standards

Section – Policy Number:

0-2.1

Supersedes:

0-2.1 (12/06)
I-D-2.0 (05/00)

Effective Date:

12/22/2008

Date of Last

Review/Revision:
None

Related Standards and References:

- [ORS Chapter 244](#) (Government Ethics)
- [OAR Chapter 416](#), Division 800 (Criminal Records Checks)
- Oregon Government Ethics Commission: [A Guide for Public Officials](#)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-1A-03 (Purpose and Mission); 3-JTS-1C-23 (Code of Ethics)
- American Probation and Parole Association (APPA) Code of Ethics
- OYA Policy: 0-2.0 (Principles of Conduct)
 - 0-2.4 (Conflict of Interest)
 - 0-3.0 (Harassment-free Workplace)
 - 0-3.1 (Equal Employment Opportunity and Affirmative Action)
 - 0-4.0 (Drug-free Workplace)
 - 0-5.0 (Violence-free Workplace)
 - 0-7.0 (Use of Electronic Information Assets and Systems)
 - I-A-1.0 (Lobbying)
 - I-C-1.0 (Property Control Systems)
 - I-C-2.0 (Use of State-owned Vehicles)
 - I-C-7.5 (Alcoholic Beverage Restriction)
 - I-C-8.0 (Smoke-free and Tobacco-free Areas)
 - I-D-2.1 (English Plus [Staff])
 - I-D-3.11 (Political Activity)
 - I-D-3.13 (Dress Standards [Staff])
 - I-E-2.1 (Public Information Requests)
 - I-E-2.2 (Offender Case File Transfer)
 - I-E-2.3 (Requests for Offender Records, Reports, and Other Materials)
 - I-E-3.0 (Public Statements and Representation)
 - II-B-1.1 (Use of Physical Intervention and/or Restraint in Facilities)
 - II-E-2.4 (English Plus [Offenders])

Related Procedures:

None

Interpretation:

Director's Office
Human Resources Section

Approved:

Bobby S. Mink, Director

I. PURPOSE:

As public employees and public officials, OYA staff must adhere to ethics and boundaries described in statute and by the agency. This policy establishes professional standards for OYA staff.

II. POLICY DEFINITIONS:

Business: Any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

Gifts: Something of value given to a public official, a relative of a public official, or a member of the household, and the recipient either makes no payment or makes payment at a discounted price. The opportunity for the gift is one that is not available to members of the general public, who are not public officials, under the same terms and conditions as those that apply to the gift offered to the public official, the relative, or a member of the household.

Legislative or administrative interest: An economic interest, distinct from that of the general public, in one or more bills, resolutions, regulations, proposals or other matters subject to the action or vote of a person acting in the capacity of a public official.

Member of the household: Any person who resides with the public official.

Public official: Any person who serves the State of Oregon or any of its political subdivisions or any other public body of the state as an officer, employee, agent or otherwise, irrespective of whether the person is compensated for such services; including both permanent and temporary employees.

Records/information: Any writing, including handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof, and all papers, maps, files, facsimiles, electronic recordings containing any information relating to the conduct of OYA's duties as a public agency (i.e., JJIS notes, e-mails, handwritten notes, videotapes, compact disks, DVDs, etc.), and interstate compact records held by the OYA.

Relative: Relatives include the public official's spouse; domestic partner; any children of the public official or of the public official's spouse; siblings; spouses of siblings; parents of the public official or of the public official's spouse; any individual for whom the public official has a legal support obligation; or any individual for whom the public official provides benefits arising from the public official's public employment or from whom the public official receives benefits arising from that individual's employment.

III. POLICY:

The OYA is responsible for enhancing the juvenile justice system to ensure that communities are safe, that offenders are held accountable to victims and the community, and that offenders develop into responsible and productive members of society.

As a state agency, the OYA, its staff, and volunteers serve as “public officials.” Public service is a public trust, requiring staff to place loyalty to laws and ethical practices above private gain, including:

- being faithful to the principles of the state code of ethics (ORS Chapter 244);
- meeting and helping to advance the OYA mission and values; and
- adhering to the professional standards that govern the scope of services provided by the OYA.

In order to achieve its mission, the OYA employs, trains, supports, and empowers a competent, professional, and diverse workforce. Developing an effective workforce to achieve these goals in a manner that merits public confidence and respect requires all staff to appreciate the relationship between their actions, both on the job and in their personal lives, and public opinion. A single staff’s misconduct or ineffective performance reflects negatively on their immediate coworkers, other OYA staff and government agencies, and interferes with the OYA’s ability to accomplish its goals.

IV. GENERAL STANDARDS:

A. State employees code of ethics

1. Staff, as public officials, must not -

- a) Solicit or accept from any person, business, or organization any gift if it may be reasonably inferred that it is given **for the purpose of** influencing official actions or affecting, or substantially affecting, directly or indirectly, the performance or non-performance of an official duty.

Additional guidelines on gifts are described in this policy.

- b) Use or attempt to use their positions to gain a financial benefit (other than their compensation plans), avoid a financial cost, or obtain a privilege for themselves, a relative, a member of their household, or their businesses if the opportunity is available only because of the position held by the staff.

Examples include receiving discounts on non-official business travel arrangements, or earning personal frequent flyer miles or cash rebates while conducting official business.

- c) Avoid consequences of illegal acts;

- d) Solicit or receive a promise of future employment in return for the public official's influence; or
 - e) Use confidential information obtained in the course of official duties for personal gain.
2. OYA staff, as public officials, and their relatives or members of household may accept the following types of gifts:
- a) Gifts from a source that does not have a legislative or administrative interest in the OYA.
 - b) Gifts from their own relatives or members of household (regardless of the relative's or member of household's administrative or legislative interest),
 - c) Gifts totaling less than \$50 in value during a calendar year from one source (person or organization) if the source could have a legislative or administrative interest in the OYA. This includes food and beverages consumed in the presence of the giver.

These **cannot** be gifts of entertainment, unless the entertainment is incidental to an event (e.g. reception, meeting) or ceremony.

3. The following are not considered "gifts" by government ethics law and may be accepted by OYA staff:
- a) Unsolicited tokens or awards of appreciation **if** the re-sale value is less than \$25,
 - b) Informational material, publications or subscriptions related to the recipient's performance of official duties.
 - c) Admission to a scheduled program, or the cost of food or beverage consumed by staff, their relative or member of the household, **if** staff are speaking or answering questions as part of the scheduled program (e.g. reception, meal, or meeting),
 - d) Waiver or discounted fees for continuing education **if** it involves continuing education required to satisfy a professional licensing requirement,
 - e) Travel expenses paid by another public official **if** the event relates to the official capacity of the staff.

See related policies: 0-2.0 (Principles of Conduct)
0-2.4 (Conflict of Interest)

B. Agency standards

Staff are expected to apply the agency mission, values, and principles of conduct as a framework for decision-making and personal behavior in the daily conduct of business.

Staff will refer to OYA policy 0-2.0 (Principles of Conduct) for specific guidance regarding the agency's mission and principles of conduct.

1. Within the framework of its agency mission, values, principles of conduct, and policies, the OYA supports the development of a culturally-competent work environment that
 - a) educates its staff and stakeholders so they may understand the importance of being culturally competent;
 - b) reflects the diversity of the OYA offender population; and
 - c) provides a worksite that is welcoming, comfortable, free of racism, and safe for all persons.

See related policies: 0-2.0 (Principles of Conduct)
I-D-2.1 (English Plus [Staff])
II-E-2.4 (English Plus [Offenders])

2. The OYA recognizes the role it plays as a partner in a continuum of services provided within the state and county juvenile justice system, and values collaborative relationships with other agencies within the continuum.
3. Staff will report for duty at the time and place required by assignment or directive.
 - a) When reporting for duty, staff will be capable of performing all of the essential functions required of their work assignment.
 - b) While on duty, staff will be fully alert and attentive.
4. Failure to comply with any provision of OYA rules, policies, or procedures may result in disciplinary action, up to and including dismissal from state service.

In addition, staff will obey all federal, state, and local laws while performing their work activities and duties.

See related policy: 0-2.0 Principles of Conduct

5. As public servants, the commission of criminal acts by staff may have a debilitating impact on the agency and its ability to accomplish its mission. Certain actions that demonstrate jeopardy to the safety of children, youth, or other vulnerable persons, or demonstrate lack of moral fitness, are fundamentally inconsistent with being an OYA staff member.

- a) Staff who are charged with, arrested for, or convicted of law violations because of on-duty or off-duty actions will inform his/her supervisor/manager of such in writing by the next working day.
- b) Should a staff be charged with, arrested for, or convicted of a law violation during work hours, staff must immediately inform his/her supervisor/manager of such in writing.

See related policy: 0-2.0 (Principles of Conduct)
I-C-2.0 (Use of State-Owned Vehicles)
I-E-1.0 (Director's Incident Report & Notification)

6. Staff will be truthful in rendering any report, in giving testimony, or in giving any official statement about any action taken relating to the staff's employment, responsibilities, position, or duties.

See related policy: 0-2.0 (Principles of Conduct)
I-E-3.0 (Public Statements and Representation)

7. Within the scope of employment, each staff is obligated to promptly report to the proper authority -

- a) any unlawful acts;
- b) acts that pose an immediate threat to the safety, security and welfare of staff, offenders or the public; and
- c) violations of rules, regulations, policies, and procedures involving the agency, or observed while on duty.

8. As a public officer, staff will release/disclose all agency records/information as required by law and according to OYA policy while maintaining the integrity of agency information by releasing records/information only to those persons granted access.

See related policies: I-E-2.0 (Records Retention, Destruction and Archiving [Paper Records])
I-E-2.1 (Public Information Requests)
I-E-2.3 (Requests for Offender Records, Reports, and Other Materials)
I-E-2.2 (Offender Case File Transfer)

I-E-3.0 (Public Statements and Representation)

- a) Records/information will remain intact and staff will not remove, destroy, or make copies of records except in accordance with established policies, procedures, or upon proper authorization.
- b) Staff will not access or share OYA records/information unless it is related to required work assignments.

9. The OYA will maintain a drug- and alcohol-free workplace, and staff will not use tobacco products within facilities designated as tobacco- or smoke-free, or where such use has been prohibited.

See related policies: 0-4.0 (Drug-free Workplace)
I-C-8.0 (Smoke-Free and Tobacco-free Areas)

10. Staff will, in the performance of their duties, be respectful, courteous, and considerate toward others.

- a) Staff will maintain a work environment that is free from discrimination and harassment.

See related policies: 0-2.0 (Principles of Conduct)
0-3.0 (Harassment-free Workplace)
0-3.1 (Equal Employment Opportunity and Affirmative Action)
0-5.0 (Violence-free Workplace)

- b) Staff will not use terminology that disrespects the dignity or violates the human rights of others.

See related policy: 0-2.0 (Principles of Conduct)
I-D-2.1 (English Plus [Staff])

- c) Staff will not use threats or intimidation toward others while at the worksite. The use of force will be employed only in situations directly related to safety and security, and in compliance with OYA rules and policies.

See related policies: 0-2.0 (Principles of Conduct)
0-3.0 (Harassment-free Workplace)
0-3.1 (Equal Employment Opportunity and Affirmative Action)
0-5.0 (Violence-Free Workplace)
II-B-1.1 (Use of Physical Intervention and/or Restraint in Facilities)

11. Staff will recognize the role they play within a treatment environment serving offenders, and will develop and conform to professional standards during their interactions with all agency stakeholders - including offenders, their families, and members of the community.

See related policies: 0-2.0 (Principles of Conduct)
0-2.2 (Relationships with Offenders and Their Families)
0-2.4 (Conflict of Interest)
I-D-3.13 (Dress Standards [Staff])

12. Staff political activity during working hours will be restricted in compliance with state and agency rules and policy.

See related policy: I-D-3.11 (Political Activity)

13. Staff will not engage in any activities or personal business, including seeking or negotiating for employment that would cause them to neglect their duty or cause a conflict of interest on the job.

See related policies: 0-2.4 (Conflict of Interest)
I-C-7.5 (Alcoholic Beverage Restriction)

14. Staff will not use, remove, borrow, lend, or give away OYA property for other than official business, unless authorized by the Director or designee. Such property includes state-provided clothing, identification cards, office supplies, equipment, vehicles, and food.

See related policies: 0-7.0 (Use of Electronic Information Assets and Systems)
I-C-1.0 (Property Control Systems)
I-C-2.0 (Use of State-owned Vehicles)
I-C-9.0 (Use of State-owned Cellular Phones)

15. All staff will be informed of this policy during New Employee Orientation.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO