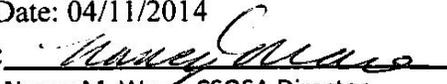




# POLICY STATEMENT

Policy Statement 1102  
Policy Area: General Counsel  
Effective Date: 04/11/2014

Approved:   
Nancy M. Ware, CSOSA Director

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## STANDARDS OF EMPLOYEE CONDUCT

### I. COVERAGE

The Standards of Conduct described in this Policy Statement, as well as those issued by the United States Office of Government Ethics (“OGE”), apply to all employees of the Court Services and Offender Supervision Agency for the District of Columbia (“CSOSA.

### II. BACKGROUND

OGE has issued general regulations applicable to federal employees on standards of employee conduct and responsibility both on and off duty. In addition, the General Services Administration has issued regulations pertaining to the integrity of the procurement process and activities on federal property.

The purpose of these regulations is to ensure that employees of the United States government conduct themselves in a lawful and ethical manner, and that the public has complete confidence in the integrity of the federal government.

The standards issued by this Policy Statement complement those U.S. government-wide regulations and address situations that may be unique to this Agency. Thus, Agency employees are bound by the government-wide regulations, as well as the requirements included in this Policy Statement.

### III. POLICY

Agency employees are required to conduct themselves in a professional and ethical manner at all times in accordance with applicable federal law, regulations, and Agency standards. Accordingly, employees shall:

- (a) Act in a manner that creates and maintains respect for the Agency and the U.S. government;

- (b) Avoid any action which might create an appearance of impropriety or actual impropriety that may adversely affect the confidence of the public in the integrity of the U.S. government (5 C.F.R. § 2635.101);
- (c) Avoid conflicts of interest in matters that affect their financial interests (5 C.F.R. Part 2635, Subpart D and 5 C.F.R. Part 2640);
- (d) Comply with Executive branch-wide regulations to avoid conflicts of interest when seeking employment outside the Agency (5 C.F.R. Part 2635, Subpart F);
- (e) Comply with applicable financial disclosure requirements (5 C.F.R. Part 2634);
- (f) Comply with procurement integrity regulations (48 C.F.R. § 3.104); and
- (g) Report any personal violation or information about an apparent violation by another employee of these Standards of Employee Conduct to a supervisor or to the Agency Ethics Official, the General Counsel.

An employee's failure to follow applicable federal laws, regulations or this Policy Statement may result in disciplinary action, up to and including removal (5 C.F.R. § 2635.106).

#### **IV. AUTHORITIES, SUPERSEDESURES, REFERENCES, AND ATTACHMENTS**

##### A. Authorities

###### 1. Statutes

- Public Law 105-33, 111 Stat. 748 (1997) – The National Capital Revitalization and Self-Government Improvement Act of 1997
- Public Law 95-521, 92 Stat. 1824 (1978) – The Ethics in Government Act of 1978
- 5 U.S.C. § 552a – The Privacy Act
- 18 U.S.C. §§ 203, 205, 207-209 – Selected Criminal Conflict of Interest Statutes
- 31 U.S.C. § 1353 – Acceptance of Travel and Related Expenses from Non-Federal Sources
- 41 U.S.C. § 423 – The Procurement Integrity Act

###### 2. Executive Orders

- Executive Order 12731

###### 3. Regulations

- 5 C.F.R. Part 735 – Employee Responsibilities and Conduct
- 5 C.F.R. Part 2634 – Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture
- 5 C.F.R. Part 2635 – Standards of Ethical Conduct for Employees of the Executive Branch
- 5 C.F.R. Part 8001—Supplemental Standards of Ethical Conduct for Employees of the Court Services and Offender Supervision Agency of the District of Columbia
- 28 C.F.R. Part 804 – Acceptance of Donations to CSOSA

41 C.F.R. Part 102-74, Appendix – Rules and Regulations Governing Conduct on Federal Property  
48 C.F.R. § 3.104 – Procurement Integrity

B. Supersedures

Standards of Employee Conduct (08/30/1999)

C. Procedural References

PS 1107, Public Financial Disclosure Report Program  
PS 1106, Confidential Financial Disclosure Report Program  
PS 2001, Personal Use of Information Technology Resources  
PS 1002, Acceptance of Gifts and Donations  
PS 1100.1, Teaching, Speaking and Writing Activities  
PS 1103, Drug Free Workplace Program  
PS 500.4, Agency Credentials with Badges or Medallions  
PS 5605, Agency Cell Phones  
PS 5203, Temporary Duty Travel Policy  
PS 5201, Official Government Travel Credit Card  
PS 5400, Occasional Use of Agency Facilities  
PS 5401, Use of Agency Vehicles  
OS 5605, Agency Cell Phones  
PS 4020, Sensitive Offender File Information

D. Attachments

Appendix A. Standards of Employee Conduct (Required Distribution to New Employees)  
Appendix B. Additional Required Material for All New Employees (Review of the Standards of Employee Conduct, General Ethical Principles for All Federal Employees and Supplemental Regulations on Outside Employment).

# **APPENDIX A**

## **Standards of Employee Conduct**

**For**

**The Court Services and Offender Supervision  
Agency (CSOSA)**

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## Part I – INTRODUCTION

### *Message from the Director*

“Community – Accountability – Justice.” These three words are on the official seal of the Court Services and Offender Supervision Agency (CSOSA). Our individual and collective responsibility is to safeguard and enhance everything that these words encompass, an enormous responsibility. Acting with integrity in all that we do is the foundation upon which a strong and lasting relationship will be built with each of our stakeholders - the courts, the community, our criminal justice and other partners, and the offenders and defendants with whom we work.

Particularly given the work we do, CSOSA must constantly strive to maintain a reputation for honesty and fairness. We must know the rules and follow them ourselves, since that is what we require of others. Building and sustaining a strong culture of integrity and compliance is critically important to ensuring that CSOSA is the premier law enforcement operation we strive for it to be. The failure – even by a single one of us – to act with complete integrity, weakens our collective reputation in the eyes of the community we serve.

While the attached Standards of Employee Conduct may seem complicated, the fundamental principles are simple – act with honesty and fairness in all of your dealings as an employee of CSOSA. The Agency’s Standards are provided to help every one of us understand the laws and regulations that apply to us as federal executive branch employees. They outline the expectations for our work and our conduct, both on-duty and in our personal lives.

As we reissue the Standards of Employee Conduct, we are not fundamentally changing the core ethics requirements by which we have operated in the past. We ask each of you to read and recommit yourselves to these revised and updated Standards. And we ask each of you to stay vigilant, speak up, and ask questions if you have any concerns about any conduct you observe or learn of at CSOSA. If you see something that seems to violate these Standards, you have an obligation to raise the issue with your supervisor, manager, or Designated Agency Ethics Official.

The culture of integrity and compliance at CSOSA is sustained and strengthened by each of us making an effort on a daily basis to act fairly and honestly in all we do. Your integrity does indeed drive our success, and we sincerely appreciate the contributions that each of you makes every day to strengthen our commitment to an ethical and exemplary workforce.

Nancy M. Ware  
Director  
Court Services and Offender Supervision Agency

## Part II - DEFINITIONS<sup>1</sup>

Agency - refers to the Court Services and Offender Supervision Agency (CSOSA).

Agency Ethics Official - refers to the Designated Agency Ethics Official (“DAEO”) or to the Alternate Designated Agency Ethics Official (“ADAEO”), and to any deputy ethics official who has been delegated authority to assist in carrying out the responsibilities of the Designated Agency Ethics Official (the “Ethics Official” or “DAEO”).

Agency Property - any property owned, leased, controlled, and/or operated by CSOSA.

Benefit - The term “benefit” includes any discounts, rebates, or other item of value in a commercial transaction; it also includes a benefit the employee receives when someone refrains from an action because of the employee’s status.

Client - an individual under the supervision of, or provided services by, CSOSA. This term is also used in this document to refer to individuals who may be receiving services pursuant to directives or orders from the Family Court of the Superior Court of DC, or the Court’s Domestic Violence Unit. While the individuals in this latter category are neither offenders nor defendants, the Standards of Employee Conduct rules are the same.

Conflict of Interest - a conflict between the public duties and the private interests of the individual involved, including both an actual conflict and the appearance of a conflict of interest. A conflict of interest may involve a financial or a nonfinancial interest.

Covered Relationship - an employee has a covered relationship with (1) a person or entity, other than a prospective employer, with whom the employee has or seeks a business, contractual or other financial relationship that involves other than a routine consumer transaction; (2) a person who is a member of the employee’s household, or who is a relative with whom the employee has a close personal relationship; (3) a person or entity for whom the employee’s spouse, parent or dependent child is, to the employee’s knowledge, serving or seeking to serve as an officer, director, trustee, general partners, agent, attorney, consultant, contractor or employee; (4) any person or entity for whom the employee has, within the last year, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee; or (5) an organization, other than a political party, in which the employee is an active participant.

Criminal Matters - matters related to a federal, state, or local law enforcement agency or with prisoners, defendants, respondents and offenders.

De Minimis Use - a small or insignificant use of agency equipment or resources for personal use.

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<sup>1</sup> The definitions in this section apply only to this Policy and its attachments.

Employee – for the purposes of this policy only, “employee” includes any person employed by CSOSA on either a permanent or temporary basis. It also includes employees of any state or local government or other organizations who are serving on detail to the Agency.

Formal Training - a training session during which the employee will be wholly or partially on duty; or training for which CSOSA would normally cover expenses.

Former Client - an offender, parolee, probationer, or supervised releasee for whom less than one year has elapsed since his or her release from supervision, or any defendant for whom less than one year has elapsed since disposition of his or her criminal charge(s). It includes individuals who have received services from CSOSA within the prior twelve (12) months. This term is also used in this document to refer to individuals who formerly received services pursuant to directives or orders from the Family Court of the Superior Court of DC, or the Court’s Domestic Violence Unit. While the individuals in this latter category are neither offenders nor defendants, the Standards of Employee Conduct rules are the same.

Fundraising - the raising of funds for a charitable organization, other than a political organization, through: (a) solicitation of funds or sale of items; or (b) participation in organizing or directing an event by an employee where any portion of the cost of attendance or participation may be taken as a charitable tax deduction by a person paying that cost.

Gift - Any (a) gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value; (b) services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

Investigation – a careful examination of information to ascertain facts in connection with a violation of these Standards of Employee Conduct or other issues arising in the workplace. An investigation may be formal, informal or another type of administrative inquiry. For example, an OPR investigation would be considered “formal” as it is typically a long-term inquiry involving proscribed investigative procedures, culminating in a written report. When a first- or second-tier supervisor asks employees about a particular incident or event, it is usually considered an “informal” investigation. An administrative inquiry may take different forms but typically involves an investigation conducted by one or more employees specifically tasked by senior management with finding out the facts underlying a specific incident or event.

Official Capacity - an employee who is performing the duties and responsibilities within the scope of his or her employment or:

- (i) acting as an official representative of CSOSA;
- (ii) attending training during a period when the employee is partially or wholly on duty;

- (iii) attending training or a meeting for which CSOSA would normally pay for all or part of the expenses; or attending an event related to his or her official duties, while on travel status.

Official Duty - an employee is on official duty: (1) during his or her tour of duty, including during authorized overtime and training; (2) during travel time for which compensatory time is granted; and (3) during workplace social functions.

Official Travel – authorized employee travel or attendance at formal training related to the employee’s duties and responsibilities.

Outside Employment or Activities - any form of employment or business relationship, compensated or uncompensated, involving the provision of personal services by or goods from the employee. Employment includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, instructor, or trustee.

Participate - to take action as an employee through decision, approval, disapproval, recommendation, rendering of advice, or investigation. “Participate” may include refraining from taking an action on a matter within the scope of the employee’s responsibilities with the intent of allowing a particular result favorable to an outside entity or person to occur.

Particular Matters - matters that involve deliberation, decision, or action that are focused upon the interests of specific persons, or a discrete and identifiable class of persons. For purposes of this Policy Statement, particular matters include a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, or arrest.

Private Capacity - the employee is acting in an individual capacity, and is not acting on behalf of or at the direction of the Agency.

Prohibited Source - any person who (1) is seeking official action by CSOSA; (2) does business or seeks to do business with CSOSA; (3) conducts activities regulated by CSOSA; (4) has interests that may be substantially affected by performance or nonperformance of the employee’s official duties; or (5) is an organization a majority of whose members are described in (1) through (4) above.

Prospective Employer - any person or entity with whom the employee is seeking employment, or who has contacted the employee seeking to discuss the potential employment of that employee.

Serious Traffic Offense - a traffic offense that potentially may result in a criminal penalty (misdemeanor or felony), a suspension of driving privileges, or the imposition of a fine of \$1,000 or more, regardless of whether the final disposition in the case is less than \$1,000.

Tax-Exempt Organization - an organization which is tax exempt under 26 U.S.C. § 501(c)(3).

## **Part III - RESPONSIBILITIES**

### **A. Role of the Designated Agency Ethics Official**

Like all federal executive branch agencies, the Agency has a Designated Agency Ethics Official (“DAEO”) whose responsibility is to coordinate and manage the Agency’s ethics program. The DAEO is the Agency’s General Counsel, or his or her designee. The DAEO’s responsibilities include counseling employees regarding the application of the Agency’s Standards of Conduct, as well as those issued by the Office of Government Ethics (“OGE”), providing ethics training and preparing and submitting mandatory reports.

Conduct based upon the advice of the DAEO may be protected from disciplinary action. (See 5 C.F.R. § 2638.309(b)). Employees are therefore strongly encouraged to seek advice from the DAEO, or his or her designee(s), prior to engaging in any conduct that may violate these standards. In certain circumstances, the DAEO will provide written opinions regarding the propriety of particular conduct brought to his or her attention. In all other cases, the DAEO will offer verbal advice. In all cases, the DAEO will maintain documentation of the opinions and advice.

Disclosures made by an employee to the DAEO are *not* protected by attorney-client privilege. The Office of General Counsel represents the legal interests of the Agency. However, to the fullest extent possible, ethics information obtained by or provided to OGC is treated as confidential, as it may be sensitive unclassified information.

A DAEO is required by federal statute to report any information obtained relating to a violation of criminal law. The DAEO is also required to concurrently report the matter to the Director of the Office of Government Ethics. If an employee’s conduct violates a criminal statute, reliance upon the advice of an ethics officer may not, in all cases, protect the employee from prosecution. Such reliance may, however, be a factor in determining whether prosecution should proceed.

### **B. Ethics Guidance to New Employees, Interns, Volunteers and Contractors**

**1. New Employees.** The Associate Director, Office of Human Resources (“OHR”) of CSOSA, is responsible for ensuring that new employees are notified of the requirement to attend the first scheduled Agency Orientation following their entry on duty. When an Agency Orientation is scheduled, OHR will notify the Office of General Counsel (“OGC”) that an ethics presentation is needed and will also inform OGC if any reasonable accommodation must be made for a new employee for that training. OGC is then responsible for presenting the ethics overview segment of the Agency Orientation.

OHR will also provide all new employees with a packet that includes: (1) The General Ethics Principles for All Federal Employees; (2) Employee Review of the Standards of Employee Conduct; and (3) the Agency’s Supplemental Regulations on Outside

Employment. The Office of General Counsel (“OGE”) will provide OHR with the packet materials. Examples of these three documents are contained in Appendix B.

Within 60 days of the start of employment, new employees must log into the learning management system and complete the course entitled “Review of Ethics Materials for New Employees.” By completing this online review, new employees are acknowledging that they have received the documents, read them carefully and understand the Standards of Employee Conduct.

2. **Volunteers and Interns.** The Agency frequently relies upon the use of volunteers and student interns, both paid and unpaid. The written agreements with volunteers and interns may require that the individual refrain from any conflict of interest, public corruption or other such activity. Agency employees who manage volunteers or supervise student interns must ensure that the volunteers/interns understand their ethical restrictions. Supervisory employees should document that they have conveyed this information to the volunteer or student intern. A volunteer or intern who violates an ethical restriction may be prohibited from continuing as an Agency volunteer/intern.
3. **Contractors.** The ethical requirements for contractors and their employees are typically set forth in contracts with the Agency.

### **C. Completion of the Employee Review of the Standards of Employee Conduct**

The review of the Standards of Employee Conduct will be listed as an annual training requirement in the CSOSA learning management system. If an employee fails to complete the requirement, he or she may be subject to disciplinary action, up to and including removal.

### **D. Training**

The DAEO, assisted by the Director of Training for CSOSA, shall ensure that annual training is available to Agency employees on the applicable ethics standards. The DAEO is responsible for determining the content, length and method of the annual training and must coordinate the training with the CSOSA Director of Training. It is the responsibility of every employee and his or her supervisor to ensure that the employee has taken the annual training.

## **Part IV - GENERAL PROCEDURES**

### **A. Personal Conduct**

Agency employees must conduct themselves in an ethical and lawful manner at all times. Employees are therefore guided by the following standards of conduct in conducting their daily activities while on and off duty:

## 1. Drug Abuse

- (a) Unlawful Use or Possession. The Agency has a Drug-Free Workplace Policy to ensure a drug-free and safe working environment that protects the public and our employees from the dangers of drug use. Illegal drug use impairs an employee's performance as well as his or her general physical and mental health. The use of illegal drugs also exposes an employee to influences that endanger other employees and property, and threatens the successful accomplishment of the mission. Furthermore, the illegal possession or use of drugs is a criminal act, inconsistent with continued employment in a law enforcement agency. Employees have a special obligation to maintain the public's trust.

The use and/or possession of illegal substances or the abuse of prescription medicine or synthetic drugs by employees is strictly prohibited at all times. This prohibition includes the intentional use of prescription drugs not prescribed to the employee or the intentional use by the employee in excess of the prescribed dosage.

- (b) Reporting Requirement. All Agency employees have a responsibility to report to a supervisor suspected unlawful drug use or possession by a co-worker, supervisor or manager. Agency supervisors who have a reasonable suspicion that an employee is using or is in possession of illegal substances or is abusing prescription medicine or synthetic drugs should immediately contact the Office of Human Resources ("OHR") to receive advice and guidance regarding the appropriate actions and documentation required to support a disciplinary action. Employees who use or possess illegal substances or abuse prescription medicine or synthetic drugs may be subject to criminal and/or disciplinary action.

An employee who voluntarily self-reports to his or her supervisor (or other senior management official at CSOSA), prior to discovery of the abuse by the Agency, that he or she has a drug abuse problem may be encouraged to enter a drug treatment program and the Agency may, but is not required to, defer disciplinary or adverse action until that program is successfully completed.

## 2. Alcohol Consumption

- (a) On-Duty Impairment or Use. Federal regulations prohibit anyone from entering upon government property, or being on the property, while under the influence of alcoholic beverages. Employees who report for duty while under the influence of alcohol or who consume alcoholic beverages before or while operating a government vehicle may expect to be subject to disciplinary action, up to and including removal. Employees are prohibited from serving or consuming alcoholic beverages at a workplace social function unless the consumption of alcohol is specifically authorized for that function, in advance of the function, by the CSOSA Director.
- (b) Reporting Requirement. Employees who believe that a co-worker may be under the influence of alcohol while on duty should notify their immediate supervisor. Supervisors

who suspect that an employee is impaired by alcohol while on duty should immediately contact OHR to receive advice and guidance on the appropriate action and also notify OPR so that it may determine whether an OPR investigation is warranted. An employee who may be under the influence of alcohol may not operate a government vehicle. Employees who are determined to be impaired by alcohol while on duty may be subject to disciplinary action, up to and including removal.

### **3. Illegal Activities**

Illegal activities on the part of any employee reflect poorly on the integrity of the Agency and betray the public trust inherent in U.S. government service. Employees are therefore expected to obey the letter and spirit of the law at all times. Failure to do so may result in discipline. The employee's supervisor must report the incident to OPR to determine whether an OPR investigation is appropriate.

- (a) Charges, Arrests, Convictions. If an employee is charged with, arrested for, or convicted of any felony, misdemeanor, or serious traffic offense, he or she must *immediately* notify his or her supervisor and the DAEO and provide in writing the date of the incident, location where the incident is alleged to have occurred, the arresting and/or charging jurisdiction, and any scheduled court dates, including the name of the court and presiding judicial official if known. The employee's supervisor must then report the incident to OPR.

A serious traffic offense is one that may potentially result in a criminal penalty (misdemeanor or felony), a suspension of driving privileges, or the imposition of a fine of \$1000 or more, regardless of whether the final disposition in the case is a lesser penalty.

- (b) Minor Traffic Offenses While On Duty. If an employee commits a traffic offense that is not considered a serious traffic offense as defined in Section 4 (a) above, while operating an Agency vehicle or while using a personal vehicle to conduct Agency business, the employee must notify his or her supervisor in writing of the traffic offense by close of business of the next business day. The supervisor must notify OPR.

### **4. Interaction with Clients**

- (a) Interaction Generally. Employee relationships with clients, former clients and the families and known close associates of clients must be professional in nature at all times. This requirement is especially important for employees who regularly come into official contact with supervised persons (for example, Community Supervision Officers, drug testing and treatment staff). Personal relationships with clients outside the work environment poses a serious threat to an employee's ability to be impartial in performing his/her duties, may give the appearance of favoritism and/or may compromise the very nature of the supervision, testing and/or treatment relationship. If an employee has a family member who is under Agency supervision, the employee should notify his or her supervisor if the employee's professional responsibilities may bring the employee into

contact with that family member or with information about the supervision of that family member.

- (b) Gifts. All Agency staff is prohibited from offering or accepting gifts (regardless of dollar value) from or to a client, former client, client's family or known close associate (i.e., giving or receiving a gift). The term "gift" includes any type of favor, personal service, or article of any value. Due to the nature of CSOSA's mission, there may be instances where employees, particularly those in the job categories referenced in (a) above, play supportive roles in the lives of clients or otherwise develop close working relationships with them. In appreciation of official services provided by Agency employees in the conduct of official duty assignments, clients, their families, or friends may attempt to offer gifts to employees. Accepting a gift from or offering a gift to a client, former client, the client's family or known close associate can create the appearance of or actual favoritism. It also exposes the Agency employee to allegations of bribery or similar misconduct. Employees are strongly encouraged to obtain an ethics opinion from the Office of General Counsel if they are unsure whether an item, service, article or favor constitutes a "gift."

This prohibition applies during any period of supervision, up to and including a period of one year from the date of the termination of the supervised relationship.

There may be circumstances where an employee has an established personal relationship with someone in the family of an offender or a close associate of an offender that predates the period of the offender's supervision or the employee's employment at the Agency. When a traditional gift-giving occasion arises, this relationship may create a potential conflict of interest. Before accepting or giving a gift in this situation, the employee should consult with the Office of General Counsel for guidance.

- (c) Impartiality and Fraternalization. Agency employees are also prohibited from showing partiality toward or from becoming romantically, physically, sexually, or financially involved with a client, former client, the client's family or known close associate. This prohibition applies during any period of supervision, up to and including a period of one year from the date of the termination of the supervised relationship.
- (d) Hospitality Exception. Strictly as a show of hospitality, employees may accept an offer of a non-alcoholic beverage and/or a light snack during official home visits (as applicable) with offenders/defendants. However, employees are prohibited from accepting or sharing a meal with such persons and/or his or her family or friends.
- (e) Special Event Exception. Upon prior supervisory approval, employees may attend special events (e.g., academic graduations, wakes/funerals) involving Agency clients or their families as a show of support for the client.

- (f) Treatment Staff. Treatment staff is prohibited from serving as a sponsor or mentor to a client if they have provided treatment to that client within the past twenty-four (24) months.
- (g) Family Members. Agency staff are prohibited from becoming financially involved with or having a close relationship with a family member of a client or former client unless the involvement or relationship has received appropriate supervisory approval as documented on the appropriate form (see below).
- (h) Reporting Requirements. In the event an employee has contact outside the course of official duties with a person known by the employee to be currently or formerly under Agency supervision or if an employee has a close and continuing relationship with a family member or close associate of a person known by the employee to be currently or formerly under Agency supervision, he/she shall provide notice of such interaction or relationship to his/her supervisor as soon as it becomes known to the employee. The term “contact” is broad and may cover a wide range of social or business interactions or relationships between individuals. For example, it is not intended to cover merely seeing the client at a distance on the street; however, if an employee discovers that a client (or former client) is present at the same social gathering (not work-related) or the employee has contact with a client (or former client) in a public setting such as a restaurant or club, that contact should be reported.

CSOSA employees must provide notice of a client interaction covered by this Section by submitting a written explanation to the applicable Associate Director through the employee’s supervisor.

## **5. Impartiality and Fraternization Between Supervisor and Subordinate**

The development of a romantic relationship between a supervisor and a subordinate employee creates the potential for partiality or the appearance of favoritism and is disruptive to the workplace. For this reason, Agency policy requires that the employees involved in the relationship report the development or existence of the relationship to the next-tier supervisor immediately. Failure to report the relationship may result in disciplinary action, up to and including removal. To avoid partiality or the appearance of partiality or a conflict of interest, one or both of the involved employees may be moved to a new location or position.

## **6. Misuse of Official Position**

- (a) Use of Position to Obtain Nonpublic Information. Agency employees are in the unique position of having access not only to information in the custody of the Agency, but also to information made available by other law enforcement agencies, treatment providers or other entities. It is important to understand that employees are prohibited from using their official position for purposes of obtaining information from any source, including outside sources, for the employee’s benefit or the benefit of another. Thus, for example, it is improper for

an employee to use his or her position in order to obtain information from a police department, or any law enforcement agency, concerning the status of a pending criminal charge for a friend or relative. Misuse of nonpublic information may result in disciplinary action, up to and including removal.

- (b) Prohibition on Photographic, Video or Sound Recording. Employees are also prohibited from making photographic, video or sound recording, by electronic means or otherwise, of any communications or activities with other employees, staff, offenders or other individuals in the workplace. The term “workplace” includes, but is not limited to, any meetings, programs, or other functions in which the Agency participates, unless specific authorization for such recording is granted in writing by the employee’s supervisor. However, with the consent of all participating parties, this prohibition does not apply to the Office of Professional Responsibility, the Office of Equal Employment Opportunity or other Agency unit or board authorized to conduct an investigation or to conduct a meeting in connection with a matter the unit or board is handling.
- (c) Use of Position to Obtain Benefit. Employees are prohibited from using their status as Agency employees to obtain any benefit not generally made available to the public. The term “benefit” includes any discounts, rebates, or other item of value in a commercial transaction; it also includes a benefit the employee receives when someone refrains from an action because of the employee’s status (for example, displaying credentials to a law enforcement officer in an attempt to avoid a ticket or placing an official business placard, when not on official business, to avoid paying a parking fee).

## **7. Just Debts**

Failure on the part of any employee to honor debts acknowledged by the employee to be valid or reduced to judgment by a court, or pursuant to a settlement agreement, without timely and appropriate justification, may be cause for disciplinary action. Such debts include, but are not limited to, federal and state taxes, federally-backed student loans, and court-ordered child support. Depending upon the circumstances, an employee who receives a legally valid garnishment order may be subject to disciplinary action.

## **8. False Statements, Lack of Candor**

An employee making a verbal or written false statement, deliberately omitting material information, or exhibiting a lack of candor to a law enforcement officer, government official, an Agency supervisor, or an investigator acting on behalf of the federal government may be subject to timely and appropriate corrective and/or disciplinary action, up to and including removal from the Agency. This prohibition also applies to a misrepresentation or omission of material facts in official government forms, including employment applications or other similar documents submitted by the employee or prospective employee to the Agency in connection with a new appointment or promotion to a new position.

## **9. Duty to Cooperate with Investigations**

Employees are required to cooperate fully with all official investigations, including inquiries, audits or investigations into alleged employee misconduct. Cooperation shall include, but is not limited to, providing any and all pertinent information relating to the charges or allegations, responding truthfully to questions, and maintaining the confidentiality of the investigation. In certain situations, employees may be requested to provide a signed affidavit. Any employee who fails to cooperate fully or who intentionally hinders an investigation is subject to disciplinary action, up to and including removal. A bargaining unit employee who reasonably believes that the examination may result in disciplinary action against the employee may request that a Union representative also be present.

## **10. Discriminatory, Retaliatory or Harassing Conduct**

The Agency is committed to maintaining a work environment that is free from discrimination, retaliation and harassment. In accordance with federal law, the Agency is committed to and has issued a policy of nondiscrimination which affirms its responsibility to take appropriate steps to prevent and correct unlawful discriminatory, retaliatory or harassing conduct. Any employee found to have engaged in any form of discrimination, retaliation or harassment will be subject to timely and appropriate corrective and/or disciplinary action, up to and including removal from the Agency.

## **11. Disruptive, Disrespectful or Violent Behavior**

Employees are expected to behave in a professional manner at all times. Any use of abusive, profane, disrespectful, unprofessional, slanderous, malicious, derogatory or otherwise inappropriate language, gestures, or conduct will not be tolerated and may result in disciplinary action, up to and including removal.

Similarly, fighting, threatening, bullying, attempting to inflict or inflicting bodily harm to another employee or member of the public will not be tolerated; any employee engaging in such behavior will be subject to timely and appropriate corrective and/or disciplinary action, up to and including removal.

## **12. Insubordination**

Employees are expected to comply with direct orders or instructions from their supervisors, managers or executive Agency personnel. The deliberate refusal to carry out an instruction or to initiate or complete an assignment may be considered insubordination and may subject the employee to disciplinary action, up to and including removal.

### **13. Duty to Report Violation**

Every employee is required to report to his or her immediate supervisor any violation or attempted violation of any law, regulation, or provision of this policy by him or herself or by another employee. If the report is about conduct of the employee's immediate supervisor, the reporting employee should contact his or her second-line supervisor. Allegations must be based upon a reasonable good faith belief that such violation has occurred. Filing a false report is a serious matter and may subject the reporter to disciplinary action, up to and including removal.

## **B. Use of Government Property**

### **1. General Policy**

U.S. government property is to be used for official business only. While limited use of U.S. government property for personal non-commercial business is permitted, employees are expected to conduct personal business on their own time, not on official time, and using their own equipment. U.S. government property includes, but is not limited to, computers, printers, fax machines, scanners, telephones, mobile telephones, Blackberry devices, broadband wireless cards, copiers, calculators, and basic office supplies. Employees are permitted, however, to make personal use of most U.S. government property as long as such use is "*de minimis*." *De minimis* use includes such minor use of the property that the cost to the U.S. government is negligible. Employees are encouraged to obtain advice from the DAEO with regard to questions concerning the scope of this policy. The use of government vehicles is governed by PS 5401 (CSOSA) and does not permit any personal use.

### **2. Use of Copiers, Fax Machines, Scanners**

Employees may use limited U.S. government-supplied paper for personal use of the copier, fax machine or scanner outside of official time, provided that the cost to the Agency is negligible and the use of the equipment does not impede the work of the Agency.

### **3. Text Messages, Telephone Calls That May Result in a Charge**

Without prior authorization from his or her supervisor, employees should refrain from personal use of government electronic communication devices that will result in an additional expense to the Agency. Agency employees who make more than a minimal use of government equipment (long distance calls, cellular telephone calls, text messages, pin-to-pin messages, facsimile communications) will be held personally financially responsible for the resulting cost to the Agency. Agency-issued cellular telephones should be used only for calls related to the employee's duties and responsibilities. Text messages, pin-to-pin messages and other similar electronic communications on government cellular telephones typically result in additional charges and should not be used without prior permission of the employee's supervisor. Under no circumstances may federal government communication devices be used to

access recreational services that charge fees for their use, such as, but not limited to, most “900” numbers.

Employees are prohibited from using hand-held communication devices while operating an Agency vehicle or using a personal vehicle for Agency business. Employees are expected to comply with all Agency policies, federal regulations, executive orders and the law of the District of Columbia and all other applicable jurisdictions regarding the use of hands-free devices while driving.

#### **4. Agency Credentials**

Employees may not use Agency identification items such as a proxy card or a credential with a badge or medallion for any purpose other than official Agency business. Using the identification item for other purposes, such as when stopped for a traffic violation, is strictly prohibited. Misuse of Agency identification items may result in disciplinary action up to and including removal.

#### **5. Use of Agency Computer Equipment**

Employees are prohibited from using Agency computer equipment, software and e-mail to advertise items for sale, promote the interests of private groups or associations, conduct any commercial enterprise, or access any prohibited websites. Employees may, however, occasionally use the e-mail system for personal messages, as long as such use is not excessive. No Agency-wide email messages may be sent without supervisory approval.

Similarly, employees are permitted to use the Internet for personal purposes as long as such use is not excessive and is done on personal time. If access to an Internet site results in an additional charge to the U.S. government, the use is prohibited. Such sites are generally identified when accessed by the user.

Employees are also strictly prohibited from accessing any and all pornographic and other adult entertainment Internet sites unless the employee's official duties require such access (for example, an employee in the Sex Offender Unit, or other staff with prior supervisory approval, for an official purpose). Employees who violate this policy will be subject to disciplinary action, up to and including removal.

#### **6. Government Travel and Purchase Cards**

Employees who have been issued U.S. government credit cards such as “travel cards” and “purchase cards” may only use such cards for approved business-related purposes and are prohibited from using such cards for personal use (e.g., making cash withdrawals for personal purchases, paying personal debts, purchasing items for non-business related purposes, or paying for lunch while at conference or training held near the employee’s duty station).

While purchase cards are generally intended to be used in the workplace, travel cards may never be used at an employee's duty station for any purpose other than to make properly approved and authorized Temporary Duty (TDY) travel arrangements. TDY travel for official business must be approved in advance of departure. In addition, employees are advised that reimbursements for travel expenses are limited to those expenses that are allowable under the Federal Travel Regulation and specified on the approved travel authorization. Pursuant to federal statute, employees who file false claims for reimbursement may forfeit any reimbursement and may also be subject to criminal penalties.

Purchase and travel cardholders may be held personally liable and/or subject to disciplinary action, including removal, for misuse of the card. In addition, if an employee fails to repay the travel card contractor all undisputed travel card charges by the established due dates, he/she may be subject to disciplinary action up to and including removal in accordance with CSOSA's disciplinary policy. CSOSA employees are instructed to contact the CSOSA Office of Procurement for any questions concerning proper use of U.S. government purchase cards and the CSOSA Office of Financial Management (CSOSA) for questions concerning the proper use of the U.S. government travel card.

#### **7. Commercial Activities on Agency Property**

Employees are prohibited from conducting commercial activities using Agency property, including Agency facilities and vehicles. Commercial activity includes, but is not limited to, selling, displaying, distributing, and advertising items for sale, including those for a commercial entity.

#### **8. Gambling, Sports Betting Pools**

Employees are prohibited from gambling using Agency property and while on official duty. This policy applies to any type of gambling activity, including sports "brackets" or pools, even if no money or other financial incentive is at stake.

### **C. Confidentiality of Information**

Employees have access to information of a personal nature concerning Agency personnel, offenders, defendants and other individuals. There are federal and District of Columbia laws and regulations on whether, and how much, of this information may be disclosed. Unless authorized by Agency policy, employees are prohibited from disclosing or releasing any personal identifying information or drug, mental health or alcohol treatment information outside of the Agency *unless* specific authorization is granted from the FOIA Officer, the Office of the General Counsel.

Specific procedures concerning information disclosure issues are addressed in the Sensitive Offender File Information Policy (CSOSA) and the Freedom of Information/Privacy Act policy. Employees should take time to familiarize themselves with these policies as a violation of the policies may result in disciplinary action, up to and including removal.

## **D. Fundraising**

### **1. General Prohibitions**

Soliciting and/or collecting money for outside organizations or charities on U.S. government property is prohibited, except for activities related to the Combined Federal Campaign (CFC). This includes a prohibition on fundraising on behalf of specific CFC recipients and groups unless all CFC charities are given same consideration. For example, soliciting funds for Girl Scout Cookies and school fund drives is prohibited on CSOSA property and while on official duty in any location.

### **2. Fundraising Off-Site**

Fundraising activities may be conducted off-site from U.S. government property in a personal capacity as long as employees do not:

- (a) use official time;
- (b) use their official titles, credentials, or badges to solicit;
- (c) use U.S. government property;
- (d) use the name of the Agency;
- (e) solicit funds from a subordinate;
- (f) solicit funds from co-workers/supervisors unless the soliciting employee and co-worker/supervisor have a pre-existing social relationship outside of the workplace; or
- (g) collect from a prohibited source.

### **3. Exceptions to General Policy**

- (a) Passive Collection of Nonmonetary Items. Collection of items such as clothes or canned foods is permitted on U.S. government property, provided the request for donations is made only through general correspondence (such as a posted notice or agency-wide e-mail) and that donations are to be placed in a centrally-located collection box. Employees interested in initiating passive solicitations must obtain approval from their supervisor and the DAEO before the solicitation begins.
- (b) Employee Recreation Association. In the event that CSOSA creates an employee-based activities and recreation association, the association will be authorized to conduct membership drives and engage in fundraising activities on U.S.

government property and during official time. Any employee recreation association must obtain a legal review by OGC and adhere to any financial controls imposed by the Office of Financial Management (OFM) (CSOSA) prior to engaging in fundraising activities.

- (c) Co-worker Emergency Fund. Employees may establish an emergency fund to help a co-worker (or former employee) and his or her family by establishing a bank account in the employee (or former employee's) name. Contributions must be in the form of a check or money order. Cash contributions are not permitted. Such fundraising may be done only when the employee (or former employee) has sustained a financially damaging tragedy, such as the death of a spouse or child, loss of a home, or other natural disaster. Supervisory and management officials are prohibited from soliciting contributions. Prior written approval must be obtained from the DAEO and, in the case of a former employee, from the CSOSA Director.

## **E. Financial Conflicts of Interest**

### **1. General Policy**

Employees should avoid situations in which their official actions give rise to actual or apparent conflicts of interest, whether those interests are financial or non-financial. Employees are specifically prohibited from taking official action in any matter that affects the financial interests of:

- (a) the employee;
- (b) a spouse or domestic partner;
- (c) a minor child;
- (d) a business associate of an employee;
- (e) an organization (whether for profit or charitable) for which the employee serves as an officer, director, trustee, or employee; or
- (f) a person or an organization with whom the employee is negotiating for or has an arrangement concerning prospective employment.

### **2. Waivers**

The Director of CSOSA may grant an employee a waiver from disqualification if the potential conflict of interest is found not to be so substantial as to affect the employee's service to the Agency. An employee who has a conflict may seek recusal from the matter creating the conflict, sell the asset, or seek a waiver. Certain interests, such as those in diversified mutual funds, are exempt from coverage by this provision.

Employees should consult the DAEO for advice as to whether a particular interest or holding is exempt.

## **F. Impartiality in Performance of Official Duties**

In addition to the prohibitions on certain interactions with clients set forth in A.4, employees are also prohibited from participating in matters that would lead a reasonable person with knowledge of the relevant facts to question his or her impartiality, *unless* he or she has first notified the DAEO of the potential appearance problem and received authorization from the DAEO to participate in the matter. Such determinations as to the appearance of impartiality are often difficult to determine; therefore, employees are strongly encouraged to seek advice *prior to* engaging in conduct that might cause their impartiality to be questioned. Employees who believe their impartiality in a particular matter may be questioned should notify the supervisor responsible for assigning the matter. Any questions should be directed to the DAEO.

## **G. Gifts between Employees**

The exchange of gifts between employees can sometimes create a conflict of interest. The rules governing the exchange of gifts or collection of money for gifts between employees are complex and employees should consult the DAEO for advice as needed.

### **1. Gifts to a Supervisor/Manager**

An employee may not contribute to or give a gift to a supervisor except for a gift worth \$10 or less on a traditional gift-giving occasion (birthday, holiday). An employee may not solicit contributions from others for that purpose. In addition, a supervisor may not accept a gift from a subordinate employee except for a gift worth \$10 or less on a traditional gift-giving occasion (birthday, holiday).

### **2. Gifts Between Employees**

An employee also may not accept a gift from another employee receiving less pay unless there is no subordinate/supervisor relationship and there is a personal relationship that would justify the gift. An exception to the gift rules is when there is a special occasion (marriage, illness, birth of a child, retirement or departure). An employee may accept a modest gift from a subordinate or an employee receiving less pay, and a subordinate employee may solicit voluntary nominal contributions from fellow employees for that gift.

### **3. Gifts from Outside Sources**

Employees are prohibited from soliciting or accepting gifts directly or indirectly from "prohibited sources," which includes licensees, applicants, contractors, anyone seeking business with the agency, anyone with interests that the employee could affect, or an organization with a majority of members who meet the above description. Employees

are also prohibited from accepting gifts from the same source so frequently that a reasonable person with knowledge of the relevant facts would be led to believe the employee is using public office for private gain. Exceptions to this prohibition include gifts given because of any non-Federal employment, coffee or other refreshments provided at meetings, non-cash gifts valued at \$20 or less from any one source (with a \$50 limit during a year), gifts from friends or family members, and attendance at widely attended gatherings.

## **H. Outside Employment and Other Outside Activities**

### **1. General Policy**

Upon supervisory and DAEO approval, employees may be authorized to engage in outside employment or other outside activities including volunteer work. There are limitations as to the type of outside activities in which employees may engage, whether or not for compensation. It is essential to obtain the written approval of the employee's supervisor and the DAEO by submitting an Outside Employment Request Form before engaging in outside employment or other outside activities.

### **2. Prohibitions**

Generally, employees are prohibited from:

- (a) engaging in outside activities that involve work in the criminal justice system of any jurisdiction, unless approved by the DAEO and the Director of CSOSA;
- (b) engaging in outside employment that creates an apparent or real conflict of interest;
- (c) engaging in outside employment that creates a direct or indirect financial interest that could be affected by the performance or nonperformance of his or her U.S. government duties and responsibilities; and
- (d) testifying as an expert witness, other than on behalf of the U.S., in any legal proceeding in which CSOSA or the U.S. government is a party or has an interest, unless approved by the employee's supervisor and by the DAEO.

### **3. Exceptions**

Employees wishing to participate in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization need not seek approval for such activity *unless* the participation involves the provision of professional services or advice for compensation other than reimbursement for actual expenses, or creates an apparent or real conflict of interest. If the employee is uncertain whether or not an activity may pose a conflict of interest, the employee should contact the DAEO.

#### **4. Procedures for Approval**

Any employee who wishes to engage in any outside employment or other outside activity must first obtain prior written approval for each activity. Approval must be sought by completing an Outside Employment Request form available on the Intranet. Each request must be approved by the employee's supervisor and then submitted to the DAEO for review and approval. Failure to obtain prior approval may result in disciplinary action.

#### **5. Renewal of Approval**

Approval will be for a period not to exceed three (3) years, after which renewed approval must be sought in accordance with this section. It is the employee's responsibility to initiate the renewal request. Any significant change in the nature or scope of the outside employment or in the employee's position requires the employee to submit a revised request for approval to the employee's supervisor and the DAEO.

#### **6. Employment Requiring the Use of a Firearm**

Employees who have received approval for outside employment that requires the use of a firearm (e.g., security guards) are prohibited from bringing such firearm onto any Agency-owned, controlled, or leased property, including U.S. government-owned or leased vehicles. In addition, an employee may not carry any firearm in a privately-owned vehicle while on duty for the Agency.

#### **7. Special Procedures for Attorneys**

Engaging in the practice of law is an outside employment activity and requires written approval of the employee's supervisor and of the DAEO prior to its commencement. Employees who are licensed attorneys may perform compensated or uncompensated legal services outside the Agency only if:

- (a) the work does not violate 18 U.S.C. §§ 203 and 205 (relating to matters in which the U.S. government has an interest or is a party);
- (b) the work does not involve any criminal or habeas corpus matter;
- (c) the work does not require the employee to assert a legal position that is or appears to be in conflict with the interests of the Agency;
- (d) the work does not require the employee to interpret any statute, regulation or rule administered or issued by the Agency;
- (e) the work does not interfere with the employee's ability to perform his or her responsibilities for the Agency; and

(f) the employee's supervisor and the DAEO have approved the request.

## **8. Teaching, Speaking and Writing Activities**

The Agency has established policy and procedures pertaining to teaching, speaking and writing activities to help ensure that employees do not inadvertently misrepresent to the general public the official position of the Agency or place themselves in danger of violating the Agency's standards of employee conduct. Employees engaging in these activities are expected to familiarize themselves with these policies and adhere to them.

## **I. Seeking New Employment**

### **1. Disqualification from Participation**

Any employee who wishes to seek employment with a business entity or person who otherwise would be affected by the performance or nonperformance of the employee's official duties is required to disqualify himself or herself from participating in any particular matter that will have a direct and predictable effect on the financial interests of the business entity or person with whom he or she is negotiating.

### **2. Impartiality**

When an employee is not actively seeking employment with a business entity or person but is approached about a potential job, the employee should notify his or her supervisor so that a determination may be made whether the employee will lack impartiality in dealing with the entity or person.

## **J. Post-Employment Restrictions**

### **1. General Policy**

Employees who leave federal service are required to comply with certain statutory and regulatory employment restrictions governing the representation of parties in matters related to their federal employment. These provisions are not designed to bar an individual from accepting employment with any private or public employer after his or her service at the Agency. Certain activities, however, that are detrimental to public confidence in the U.S. government are prohibited. When employees begin the initial planning process to leave government service, they must familiarize themselves with these restrictions and direct any questions to the DAEO. Upon request, the DAEO will provide written guidance on any post-employment restrictions that must be observed by an employee contemplating taking a specific position after leaving the Agency.

### **2. Lifetime Prohibition**

All former Agency employees are prohibited from representing another party before the federal government on a particular matter involving specific parties in which they participated personally and substantially while working for the Agency. This

prohibition does not apply to an appearance or communication involving purely social contacts, a request for purely factual information, or the supplying of such information.

### **3. Two-Year Prohibition**

After leaving the Agency, a former employee is prohibited from acting as a representative on a particular matter for which the employee had official responsibility, rather than personal participation, for a period of two years. The restriction applies if the former employee knew, or reasonably should have known, that the matter was pending under his or her official responsibility during his or her last year of U.S. government service.

### **4. One-Year Prohibition**

Former senior level employees are prohibited from communicating with an employee of the Agency on behalf of another person on a matter in which that person seeks official action with the intent to influence the Agency for a period of one year. This ban only applies to Executive Schedule or SES level 5 and 6 employees.

## **K. Acceptance of Travel Funds from Outside Sources**

### **1. General Policy**

The Agency may accept payment from a non-federal source (or authorize an employee to receive such payment on its behalf) for official travel to a meeting or similar function. Acceptance of such payments must be in accordance with Agency procedure. In no circumstances shall such payments be solicited or used to fund travel performing the Agency's statutory function of offender/defendant supervision. Employees must follow Agency travel policies while on travel funded all or in part by an outside source. A travel authorization must be prepared and approved prior to travel funded all or in part by an outside source.

This policy covers only the use of outside funding for official travel. If an employee is accepting travel funds in his or her private capacity, the Ethics in Government Act, federal standards of conduct, and the criminal conflict of interest statutes may apply. In these situations, prior authorization to accept funds is not formally required. It is strongly suggested, however, that the employee obtain an opinion from the DAEO prior to accepting travel funds in his or her *private* capacity to avoid the risk of criminal sanctions.

Employees accepting travel funds from outside sources should also be aware of the Standards of Ethical Conduct for Employees of the Executive Branch, including the sections pertaining to gifts from outside sources and accepting compensation for teaching, speaking and writing.

## 2. Requirements for Accepting Outside Funding

The Agency may accept funding from sources outside of the federal government (“outside funding”) for official travel purposes only if the funding:

- (a) is for employee attendance at a meeting or similar function that he or she will be attending in an official capacity; or
- (b) comes from a tax-exempt organization, is incident to formal training, and the training is in a non-federal facility; or
- (c) comes from a foreign government for travel entirely outside of the United States, where the employee will be acting in an official capacity, subject to applicable regulation.

Only reasonable means of travel and accommodations may be approved by authorizing officials. Approval may be given for travel funding that is in excess of CSOSA travel limitations, provided that the travel furnished is comparable in value to other similarly situated individuals attending the event. An employee may not, however, receive funding for airline travel in First Class or Business Class. An employee also may not accept non-travel related expenses from the outside source, such as gifts, entertainment tickets or other personal items.

## 3. Authorization to Accept Outside Funds

The Agency must authorize all official travel for its employees provided from sources outside of the federal government *before* the travel takes place. To seek such authorization, employees must submit a "Request for Approval of Travel Through Outside Source Funding" available on the CSOSA Intranet. This authorization process is required in addition to authorization generally required for official travel. Listed below are the officials who must authorize outside funding for travel. Each official who approves the travel shall forward the form to the next appropriate office. If any official disapproves, he or she shall return the form to the employee and explain the reason(s) for disapproving the request.

- (a) Official Travel Within the United States. The CSOSA Director or Deputy Director and the Office of General Counsel must approve official travel using outside funds within the 50 states for CSOSA employees. The employee must first obtain authorization from his or her immediate supervisor.
- (b) Official Travel to a Foreign Nation. Only the CSOSA Director or Deputy Director may approve official travel between the United States and a foreign nation. Such costs must be paid by the United States. Travel within a foreign nation or between foreign nations, however, may be funded by an outside source.

The employee must obtain authorization from the officials referenced in this section *and* the CSOSA Director.

- (c) Ethics Review. Outside funding may only be accepted after review and written recommendation by the DAEO to determine whether there is any conflict of interest. At any point in the authorization process, a staff member may contact the DAEO with questions regarding the authorization.

#### **4. Conflict of Interest Analysis**

Authorization for a source of funding or an event may be denied for a finding of an actual or apparent conflict of interest. Based on a finding of such a conflict, officials may deny authorization to attend the entire event or impose limits on travel and attendance to avoid the conflict.

- (a) Factors Considered. In determining whether to approve outside travel funding, the DAEO shall determine whether a reasonable person with knowledge of all the relevant facts would question the Agency's integrity for accepting the funding from an outside source. Reviewing officials shall be guided by, but not limited to, the following factors:
  - (i) the identity of the non-federal source;
  - (ii) the purpose of the meeting or function;
  - (iii) the identity of the other expected participants;
  - (iv) any matter the source has pending with the Agency;
  - (v) the employee's role in such matter;
  - (vi) the monetary value of the travel benefits;
  - (vii) any issue which arises due to CSOSA's mission, including conflicts which may arise out of accepting funding from other law enforcement agencies; and
  - (viii) any issue which arises due to the status of a person under the supervision of the Agency.
- (b) Antidiscrimination Policy. Authorization shall not be granted if the source of the funding, or the event to be attended, discriminates based on sex, race, religion, color, age, sexual orientation, genetic information, disability or national origin.

#### **5. Types of Travel Permissible Using Outside Funding**

Only two types of official travel may be authorized to be funded by outside sources, as described below. The employee must indicate the type of travel on the appropriate form. To be authorized, travel must meet all of the requirements for that type of travel.

- (a) Travel in Employee's Official Capacity. This is the most common type of travel. The Agency may accept funding from a non-federal source (*i.e.*, any source that is not the United States government) sponsoring or co-sponsoring an event.

The employee must be authorized to attend in an official capacity on behalf of the Agency. No conflict of interest may exist which would disqualify the source of the funding.

- (b) Travel Funded by a Tax-Exempt Organization. This type of travel may be used only for the limited situations when:
- (i) the organization is tax exempt under 26 U.S.C. § 501(c)(3);
  - (ii) the purpose of the travel is to attend training in a non-U.S. government facility;
  - (iii) the training is considered "formal," that is, the event is a training session where the employee will be wholly or partially on duty, or is training for which the Agency would normally cover expenses;
  - (iv) the tax-exempt organization is not disqualified because of a conflict of interest; and
  - (v) the funding is not a reward for services to the tax-exempt organization prior to the training.

## **6. Reporting Funds on Financial Disclosure Form**

Any employee who is required to file annual financial disclosure reports must report any funding received under this section as gifts on either the Public Financial Disclosure Report for Executive Branch Personnel (OGE 278) or the Confidential Financial Disclosure Report for Executive Branch Personnel (OGE Form 450) if the payment is made on the employee's and/or the employee's accompanying spouse's behalf rather than on the Agency's behalf.

## **7. Travel by Spouses**

Receipt of funding for travel for an employee's spouse is considered a benefit to the employee and therefore should be noted on the Request for Approval of Travel Through Outside Source Funding" form under "Description and estimated cost of benefits provided." If funding is to be received from more than one source, the employee must seek separate authorization for each source. Approval will be granted for an employee to accept funding for the employee's spouse to accompany the employee only if:

- (a) the employee will be acknowledged with an established award or honor;
- (b) the spouse will substantially assist the employee in carrying out his or her duties;
- (c) the spouse will participate in substantive programs related to the Agency's programs and operations; or
- (d) the spouse's presence is required for foreign diplomatic reasons.

Even if all of the above conditions are met, the authorizing official may deny the request if he or she believes there is an appearance of impropriety. The fact that an invitation was extended to the spouse, even if other spouses will be in attendance, is not enough to establish the need to authorize the spouse's attendance.

## **8. Solicitation of Travel Funding Prohibited**

It is improper for employees to solicit travel funds in any situation, including solicitation for their own use, for spouses, or other employees.

## **9. Procedures for Accepting Funds**

If all conditions are met, the Agency shall accept funding on behalf of the employee. Once authorization for travel using outside funding has been received, the employee shall so inform the funding source.

(a) Acceptable Forms of Payment. Acceptable types of payments are:

- (i) U.S. currency, checks, money orders, and similar forms of payments. The traveler may never personally accept payment by cash or check for official travel;
- (ii) payments-in-kind, which include tickets, transportation, and other similar services. The traveler may accept payments-in-kind if he or she has received prior authorization. Both types of payments must be made out to "Court Services and Offender Supervision Agency" and must reference the employee's name that received the travel.

(b) Processing of Request Forms

Copies of request forms should be attached to all other necessary travel documents.

(c) Additional Agency Funds

Since the employee will be acting in an official capacity on behalf of the Agency, the Agency may fund any excess expenses within the limitations set by regulations and policy (for example, to meet per diem and expenditure limits). Reimbursements will be processed in accord with applicable federal regulation.

## **10. Agency Reporting Requirements**

The DAEO is responsible for:

- (a) submission of a report on the acceptance of outside funds to the Director of the U.S. Office of Government Ethics, in accordance with 31 U.S.C. § 1353;

- (b) keeping records of funding under this authority as required in 5 C.F.R. § 410.503;
- (c) assisting CSOSA's Procurement Division with the creation of an Agency report on the acceptance of foreign funding for travel in compliance with 5 U.S.C. § 7342(f) (Receipt and disposition of foreign gifts and decorations);
- (d) other reporting as required by applicable rule, regulation, or statute.

## **L. Procurement Integrity**

### **1. Restrictions on Offers of Employment**

An official who is participating personally and substantially in a federal agency procurement, as those terms are defined in 48 C.F.R. § 3.104-3 (procurement integrity regulations), for a contract in excess of the simplified acquisition threshold, and who contacts or is contacted by a person who is a bidder or offeror in that procurement regarding possible employment, must report the contact in writing to his or her supervisor and the DAEO and reject the possibility of employment, *or* disqualify himself or herself from further personal and substantial participation in the procurement until so notified by the Agency. Participation may resume on the grounds that the person is no longer a bidder or offeror in the procurement or discussions with the bidder or offeror regarding possible employment have terminated without arrangements for employment.

### **2. Post-Employment Restrictions**

A former employee of the Agency is prohibited from accepting compensation from a contractor as an employee, officer, director, or consultant for a period of one year after the employee participated in the selection of a contract or award in excess of \$10,000,000. Employees and former employees who believe they have participated in such a contract, and wish to accept employment from a contractor are advised to consult the DAEO and/or their supervisors for an appropriate determination as to whether the employment would be permissible.

### **3. Confidentiality of Procurement Information**

Present or former employees, or persons acting or who have acted on behalf of, or who are advising or who have advised the U.S., are prohibited from knowingly disclosing information relating to contractor bids, proposals, or source selection before the award of a procurement contract to which the information relates. Such persons are also prohibited from knowingly obtaining such information before the award of the procurement contract to which the information relates.

## **APPENDIX B**

**Supplemental Material to be provided to all new Agency employees and to all employees annually through the Learning System:**

**The General Ethics Principles for All Federal Employees**

**Review of the Standards of Employee Conduct**

**The Agency's Supplemental Regulations on Outside Employment**

## **General Ethics Principles for All Federal Employees**

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
4. An employee shall not solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
  
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.



<b><i>Gifts to or from Employees and Supervisors (cont.)</i></b>	
Initials _____	I understand the rules on giving or receiving gifts from another employee and, if in doubt about the propriety of such a gift, will ask for guidance from the Office of the General Counsel.
<b><i>Substance Abuse</i></b>	<p>7. An employee is prohibited from using or possessing illegal drugs, including prescription drugs not prescribed to the employee or not used by the employee in accordance with the instructions of the employee's physician.</p> <p>8. An employee is prohibited from being under the influence of alcohol while on official duty and from consuming alcohol while on official duty, unless the consumption of alcohol is specifically authorized by the CSOSA Director for a workplace social function.</p>
Initials _____  Initials _____	<p>I understand that I am prohibited from using or possessing illegal drugs and from abusing prescription drugs at all times.</p> <p>I understand that I am prohibited from being under the influence of alcohol while on official duty, and am prohibited from consuming alcohol while on official duty, unless the consumption of alcohol is specifically authorized by the CSOSA Director for a workplace social function.</p>
<b><i>Use of Government Property</i></b>	<p>9. An employee may use government property (computers, fax machines, telephones, copiers, office supplies, etc.) for official business only. Occasional use of government property at negligible cost to the government is permitted so long as it does not interfere with the duties and work hours of the employee or others seeking to use the property for government purposes.</p> <p>10. An employee may not use government property for any personal purpose that may result in a charge to the government (for example, calls outside the local area, fee for service phone lines or Internet sites) or for any unlawful activity.</p> <p>11. An employee is prohibited from using government property to access, transmit, collect or store any pornographic, gambling or other adult entertainment material unless expressly authorized by a supervisor to do so (for example, in relation to supervision of a sex offender).</p> <p>12. An employee is prohibited from conducting any commercial, business, advertising, nonprofit, charitable or other activities unrelated to the employee's duties while on official duty. Except for activities related to the Combined Federal Campaign (CFC), soliciting or collecting money for outside organizations on government property is prohibited. This prohibition does not apply to the posting of a notice for a passive collection of nonmonetary items (canned food, clothing, toys) at a central</p>

<p><b>Use of Government Property (cont.)</b></p>	<p>collection point, or to co-worker emergency funds established in accordance with written guidance and oversight from the Office of the General Counsel and permission from a supervisor at the Branch Chief/Program Director level or above.</p> <p>13. CFC fundraising may be conducted on government property. However, employees may not: (a) use official time (unless authorized by the CSOSA Director); (b) use official titles, credentials or badges to solicit contributions; (c) use government equipment for more than negligible use; (d) use the name of the Agency; (e) solicit funds from a subordinate; or (f) collect from a prohibited source such as someone seeking official action by CSOSA, someone doing business with, regulated or supervised by CSOSA or someone who otherwise has interests that may substantially be affected by the actions of the employee in his or her official duties.</p>
<p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p>	<p>I understand that I am prohibited from using government property for personal use, except for occasional use at negligible cost to the government that does not interfere with my job duties, work hours or the work of others.</p> <p>I understand that I may never use government property to incur a cost to the government for any unlawful activity or to access, transmit, collect or store any pornographic, gambling or other adult entertainment material unless expressly authorized to do so by a supervisor in relation to an offender under my supervision.</p> <p>I understand I may not conduct any commercial, business, advertising, nonprofit, charitable or other activities unrelated to my duties while on official duty, except for passive nonmonetary collections such as canned food, clothing or toy drives, for co-worker emergency funds established in accordance with written guidance and oversight from the Office of the General Counsel and a supervisor at the Branch Chief/Program Director level or above, and activities that are a part of the official CFC Campaign.</p> <p>I have read and understand the restrictions on fundraising activities on government property.</p>
<p><b>Use of Government Credit Cards</b></p>	<p>14. An employee is prohibited from using a government travel or purchase card for personal use or for any unapproved government-related purpose.</p>
<p>Initials _____</p>	<p>I understand that I may never use a government travel or purchase card for personal use or for any unapproved government-related purpose.</p>
	<p>15. Illegal activities by an employee reflect on the integrity of the Agency and betray the trust and confidence held by the public. Employees are expected to obey the letter and spirit of the law at all times.</p>

<p><b>Charges, Arrests or Convictions</b></p>	<p>16. An employee charged with, arrested for, or convicted of any felony, misdemeanor or serious traffic offense must immediately notify his or her supervisor and provide written notification of the offense to his or her supervisor, and to the Ethics Officer in the Office of the General Counsel. A “serious traffic offense” is one that may potentially result in a criminal penalty (misdemeanor or felony), a suspension of driving privileges, or the imposition of a fine of \$1,000 or more, regardless of whether the final disposition in the case is a lesser penalty.</p> <p>17. An employee who commits a routine traffic offense while operating an Agency vehicle or a personal vehicle while on Agency business must report it immediately to his or her supervisor.</p>
<p>Initials_____</p>	<p>I understand that I must immediately notify my supervisor and provide a written notification to my supervisor and to the Ethics Officer, if I am charged, arrested or convicted of a crime or have committed a serious traffic offense.</p>
<p>Initials_____</p>	<p>I understand that, if I commit a routine traffic offense while operating an Agency vehicle or a personal vehicle while on Agency business, I must report it immediately to my supervisor.</p>
<p><b>Confidentiality</b></p>	<p>18. An employee is prohibited from disclosing or releasing any sensitive or personal information concerning staff, Clients or other individuals unless required to do so in the performance of his or her duties, or unless specifically authorized by a person with authority to release official information.</p>
<p>Initials_____</p>	<p>I understand I am prohibited from disclosing or releasing any sensitive or personal information concerning staff, clients or other individuals unless required to do so in the performance of my duties, or unless specifically authorized by a person with authority to release official information.</p>
<p><b>Misuse of Official Position</b></p> <p><b>Misuse of Official Position (cont.)</b></p>	<p>19. An employee may not use his or her official position to obtain information from any source for his or her own benefit, or for the personal benefit of another in a matter unrelated to his or her official duties.</p> <p>20. An employee may not use his or her official position in an attempt to influence any individual, including public and law enforcement officials, or organization to act or refrain from taking action in a matter unrelated to the employee’s official duties.</p> <p>21. An employee may not make false or fraudulent statements on a matter related to his or her official duties, or use his or her official position intentionally to create, destroy, falsify, conceal, alter or make an unauthorized copy of a government record for the employee’s own benefit or purposes.</p>

<p>Initials_____</p>	<p>I understand that it would be a misuse of my official position to use my position to obtain information for my own benefit, or the benefit of another unrelated to my official duties.</p>
<p>Initials_____</p>	<p>I understand that it would be a misuse of my official position to use it in an attempt to influence any individual, including public and law enforcement officials, or organization to act or refrain from taking action in a matter unrelated to my official duties.</p>
<p>Initials_____</p>	<p>I understand that I may not make false or fraudulent statements on a matter related to my official duties, or use my position to create, destroy, falsify, conceal, alter or make an unauthorized copy of a government record for my own benefit or purposes.</p>
<p><b><i>Inappropriate Relationships</i></b></p>	<p>22. Employees are expected to maintain a professional relationship with clients at all times. Employees are prohibited from showing partiality toward or becoming romantically, physically, sexually or financially involved with their clients, former clients, the family of their clients and known close associates of their clients.</p> <p>23. With prior supervisory approval, employees may attend special occasions involving clients as a show of support.</p> <p>24. Employees must report any nonprofessional relationship with clients, former clients, the family of their clients, and known close associates of their clients.</p>
<p>Initials_____</p> <p>Initials_____</p>	<p>I understand that I must maintain a professional relationship with clients, former clients, the family of clients and known close associates of clients at all times.</p> <p>I understand that, if a nonprofessional relationship develops with a client, a former client, the family of a client and known close associates, I must report it promptly to my supervisor.</p>
<p><b><i>Conflict of Interest</i></b></p> <p><b><i>Conflict of Interest (cont.)</i></b></p>	<p>23. An employee should avoid any situation in which their official actions affect or appear to affect their private interests, financial or nonfinancial.</p> <p>24. An employee is specifically prohibited, without a waiver from the Director, from taking official action in any matter that affects the financial interests of the employee, a spouse, a minor child, a business partner of an employee, an organization for which the employee serves as an officer, director, trustee or employee, or a person or an organization with whom the employee is negotiating for or has an arrangement concerning prospective employment.</p>

	<p>25. An employee is prohibited, without authorization from the Ethics Officer, from participating in matters that would lead a reasonable person with knowledge of the facts to question his or her impartiality.</p> <p>26. An employee should seek advice from the Ethics Officer prior to engaging in conduct that might cause his or her impartiality to be questioned.</p>
<p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p>	<p>I understand that I should avoid any situation in which my official actions affect or appear to affect my private interests, financial or nonfinancial.</p> <p>I understand that I am prohibited, without a waiver from the Director, from taking official action in any matter that affects my financial interests or the interests of my spouse, my minor child, my business partner, an organization for which I serve as an officer, director, trustee or employee, or a person or an organization with whom I am negotiating for prospective employment.</p> <p>I understand that I am prohibited, without authorization from the Ethics Officer, from participating in matters that would lead a reasonable person with knowledge of the facts to question my impartiality.</p> <p>I understand that I should seek advice from the Ethics Officer prior to engaging in conduct that might cause my impartiality to be questioned.</p>
<p><b>Outside Employment</b></p> <p><b>Outside Employment (cont.)</b></p>	<p>27. An employee who wishes to seek employment with an outside person or organization, or who otherwise lacks impartiality in dealing with a prospective employer, should disqualify himself or herself from participating in any matters that may have a direct and predictable effect on that outside person or organization.</p> <p>28. With prior written approval from the Ethics Officer, employees may engage in outside employment with some limitations. Employees may not engage in outside employment that: (a) involves criminal matters, without prior approval of the Ethics Officer and the Director; (b) requires the use of a firearm (except for military or National Guard service); (c) creates an apparent or real conflict of interest; (d) creates a direct or indirect financial interest that could be affected by the performance or nonperformance of his or her governmental duties; and (e) requires the employee to testify as an expert witness for a party other than the United States, in a legal proceeding in which CSOSA or the U.S. government is a party or has an interest.</p> <p>29. Employees wishing to serve as officers or directors of any organization, except social, religious, or recreational organizations, are required to seek prior approval whether or not the services are for compensation.</p> <p>30. CSOSA employees who are licensed attorneys are prohibited from</p>



<p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p>	<p>I understand that, once I leave my employment with CSOSA, I can never represent another party before the federal government in a matter in which I personally and substantially participated.</p> <p>I understand that, once I leave my employment with CSOSA, for two years I cannot represent someone on a particular matter over which I had official responsibility but no personal participation.</p> <p>I understand that, once I leave my employment with CSOSA, for one year I cannot communicate with a CSOSA employee to seek official action with the intent to influence my former employing agency on behalf of another person.</p>
<p><b><i>Travel Funds from Outside Sources</i></b></p>	<p>34. An employee may not solicit travel funds in any situation, including solicitation for himself or herself, a spouse or other employees.</p> <p>35. An employee who will engage in official travel funded, in whole or in part, from sources outside the federal government, must receive authorization in advance from the Deputy Director or Director, and with the written recommendation by the Ethics Officer after a conflict of interest analysis. Employees are acting in their official capacity when representing CSOSA, attending training, or attending an event related to official duties.</p> <p>36. An employee who is required to file annual financial disclosure reports (Form SF-278 or SF-450) must report any travel funding received from a tax-exempt organization.</p> <p>37. Receipt of funding for an employee's spouse is a benefit to the employee and will be approved only if the employee is to be acknowledged with an established award or honor, the spouse will substantially assist the employee in carrying out his or her duties, the spouse will participate in substantive programs related to CSOSA's missions, or the spouse's presence is required for foreign diplomatic reasons. The request may not be authorized if there is an appearance of impropriety.</p>
<p>Initials _____</p> <p>Initials _____</p> <p><b><i>Travel Funds from Outside</i></b></p>	<p>I understand that I may not solicit travel funds in any situation, including solicitation for myself, a spouse or other employees.</p> <p>I understand that, if I engage in official travel funded, in whole or in part, from sources outside the federal government, I must receive authorization in advance from the Deputy Director or Director, and with the written recommendation by the Ethics Officer after a conflict of interest analysis.</p>

<p><b>Sources (cont.)</b></p> <p>Initials_____</p> <p>Initials_____</p>	<p>If I am an employee who is required to file annual financial disclosure reports (Form SF-278 or SF-450), I understand that I must report any funding received from a tax-exempt organization.</p> <p>I understand that receipt of funding for my spouse is a benefit to me and will be approved only if I am to be acknowledged with an established award or honor, my spouse will substantially assist me in carrying out my duties, my spouse will participate in substantive programs related to CSOSA’s mission, or my spouse’s presence is required for foreign diplomatic reasons.</p>
<p><b>Unpaid Debts</b></p>	<p>38. An employee who fails, without good reason, to honor valid debts or to satisfy monetary court judgments may be subject to disciplinary action.</p>
<p>Initials_____</p>	<p>I understand that if I fail, without good reason, to honor valid debts or to satisfy a monetary court judgment, I may be subject to disciplinary action.</p>
<p><b>Discrimination, Retaliation or Harassment</b></p>	<p>39. Any employee found to have engaged in any form of discrimination, retaliation or harassment will be subject to timely and appropriate corrective and/or disciplinary action.</p>
<p>Initials_____</p>	<p>I understand that, if I am found to have engaged in any form of discrimination, retaliation or harassment, I may be subject to corrective and/or disciplinary action.</p>
<p><b>Procurement Integrity</b></p> <p><b>Procurement Integrity (cont.)</b></p>	<p>40. An employee who is participating personally and substantially in a CSOSA procurement for a contract in excess of the simplified acquisition threshold, and who contacts or is contacted by a bidder in that procurement regarding possible employment, must report the contact in writing to his or her supervisor and the Ethics Officer and either reject the offer or disqualify himself or herself from further personal and substantial participation in the procurement until the bidder is no longer involved in the procurement or discussions about potential employment have terminated without a hire.</p> <p>41. A former employee of the Agency is prohibited from accepted compensation from a contractor as an employee, officer, director or consultant for a period of one year after the employee participated in the selection of a contract or award in excess of \$10,000,000.</p> <p>42. A present or former employee of the Agency is prohibited from knowingly disclosing information relating to contractor bids, proposals, or source selection before the award of a procurement contract to which the information relates.</p>

<p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p> <p>Initials _____</p>	<p>I understand that, if I participate personally and substantially in procurement for a contract in excess of the simplified acquisition threshold, I must report any possible employment discussions with a bidder in that procurement to my supervisor and the Ethics Officer.</p> <p>I also understand that, if such employment discussions occur, I must either reject the offer or disqualify myself from further personal and substantial participation in the procurement until the bidder is no longer involved in the procurement or until such discussions have concluded without an offer of employment.</p> <p>I understand that, if I leave employment with the Agency, I am prohibited for one year from accepting compensation from a contractor with a contract or award in excess of \$10,000,000. In the event I wish to accept employment from such a contractor, I will first contact the Ethics Officer for a determination as to whether the employment would be permissible.</p> <p>I understand that, whether or not I am a present or former employee of the Agency, I am prohibited from disclosing information relating to contractor bids, proposals, or source selection before the award of a procurement contract to which the information relates.</p>
<p><b><i>Duty to Report Violations</i></b></p>	<p>43. Every employee who has a good faith basis to believe that he or she, or another employee, has violated these Standards of Employee Conduct is required to report the information to a supervisor or to the Office of General Counsel (OGC). Employees who make reckless, unsubstantiated or knowingly false reports may be subject to disciplinary action up to and including termination.</p> <p>44. An employee is required to cooperate fully with any investigation or management inquiry into employee misconduct by providing pertinent information, and responding truthfully to questions. An employee who fails to cooperate fully or who intentionally hinders an investigation may be subject to disciplinary action.</p>
<p>Initials _____</p> <p>Initials _____</p>	<p>I understand that, if I have a good faith basis to believe that I or another employee has violated these Standards, I must report that information to a supervisor, or to the Office of General Counsel (OGC).</p> <p>I understand that I am required to cooperate fully with any investigation or management inquiry into employee misconduct and, if I fail to do so, I may be subject to disciplinary action.</p>

**CHAPTER LXX—COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA  
PART 8001—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY**

Sec.

8001.101 General.

8001.102 Prior approval for outside employment.

**Authority:** 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p.

215, as modified by E.O. 12731, 55 FR 42547,

3 CFR, 1990 Comp., p. 306; 5 CFR

2635.105,

2635.801, 2635.802, 2635.803.

**§ 8001.101 General.**

(a) *Purpose.* In accordance with 5 CFR 2635.105, the regulations in this part apply to the employees of the Court Services and Offender Supervision Agency (CSOSA or Agency), and the employees of the Pretrial Services Agency (PSA or Agency), an independent entity within CSOSA. The regulations in this part supplement the Standards of Conduct for Employees of the Executive Branch contained in 5 CFR part 2635.

(b) *Cross-references.* In addition to 5 CFR part 2635 and this part, CSOSA and PSA employees are subject to the executive branch financial disclosure regulations at 5 CFR part 2634, the regulations concerning executive branch financial interest contained in 5 CFR part 2640, and the regulations concerning executive branch employee responsibilities and conduct contained in 5 CFR part 735.

**§ 8001.102 Prior approval for outside employment.**

(a) *Prior approval requirement.* An employee, other than a special Government employee, must obtain written approval from the employee's immediate supervisor and the Designated Agency DAEO (DAEO) before engaging in any outside employment, whether or not for compensation.

(b) *Definition of employment.* For purposes of this section, "employment" means any form of non-Federal employment, business relationship or activity involving the provision of personal services by the employee, whether or not for compensation. It includes, but is not limited to, personal services as an officer, director, employee, agent, attorney, consultant,

contractor, general partner, trustee, teacher, or speaker. It includes writing when done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless the participation involves the provision of professional services or advice for compensation other than reimbursement for actual expenses, the organization's activities are devoted substantially to matters relating to the employee's official duties, or involves conduct prohibited by statute or Federal regulation, including 5 CFR part 2635 and paragraph (c) of this section.

(c) *Standard of approval.* Approval shall be granted only upon a determination that the outside employment or activity is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR part 2635. The employee's immediate supervisor and the DAEO shall approve or deny the employee's request for prior approval of outside employment within seven (7) calendar days of receiving from the employee complete information necessary to make such a determination.

(d) *Scope of approval.* Approval will be for a period of three years, after which the employee must request renewed approval in accordance with this section. If during the approved three-year period there is a significant change in the nature or scope of the outside employment or in the employee's Agency position or duties, the employee shall submit a renewed request for approval within ten (10) calendar days of the change.

(e) *Submission of application.* The employee shall submit the request on a form provided by the DAEO through the employee's immediate supervisor. The request must be submitted not less than ten (10) calendar days prior to the date the proposed employment will begin, in order to allow for completion of the review before the anticipated start of the outside employment. The form shall set forth at the minimum the description of the employee's current position; information on the prospective employment, including the nature of the service to be performed, the anticipated date, and number of hours of work per

week; whether the prospective employer

has any contractual relationship with the Federal government; whether the employee will come in contact with defendants, offenders, family members, or their representatives in the course of the outside employment; whether the prospective employment involves any criminal justice matters; whether the employee will be required to testify as an expert witness in any matter related to the prospective employment; and whether the prospective employment involves solicitation or advertising services.

(f) *Appeal.* If the Designated Agency DAEO denied the request, the employee may appeal that decision to the Agency Director.

**Adrienne Poteat,**  
*Deputy Director, Court Services and Offender Supervision Agency.*

**Robert I. Cusick,**  
*Director, Office of Government Ethics.*  
[FR Doc. 2011-9027 Filed 4-20-11; 8:45 am]employment.

**Authority:** 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p.

215, as modified by E.O. 12731, 55 FR 42547,

3 CFR, 1990 Comp., p. 306; 5 CFR

2635.105,

2635.801, 2635.802, 2635.803.