



Arkansas Parole Board
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ADMINISTRATIVE DIRECTIVE: 06-01 CODE OF ETHICS AND RULES OF CONDUCT

TO: ARKANSAS BOARD OF PAROLE EMPLOYEES

FROM: LEROY BROWNLEE, BOARD CHAIRMAN

SUPERSEDES: SECTON 1.4 OF ABP EMPLOYEE MANUAL

APPROVED: SIGNATURE ON FILE EFFECTIVE: January 1, 2006

- I. **APPLICABILITY.** The Code of Ethics and Rules of Conduct described herein comprise the standards of conduct by which all employees of the Arkansas Board of Parole (ABP) are to be governed.
- II. **POLICY.** It is ABP policy to create and maintain a secure, professional, and productive work environment, where employees conduct themselves in a manner that does not impair the operation of the ABP, compromise their authority, or erode public confidence; obey laws and departmental policies; uphold generally recognized standards of professional ethics and conduct as described in this directive; and demonstrate respect for the safety, rights, and dignity of others. This policy and associated guidance do not create a contract of employment or any legally enforceable interest or limit the Chairman or his designee authority to establish or revise human resource policies or affect ABP's right to terminate employment pursuant to the at-will employment doctrine.
- III. **GUIDELINES.** The Code of Ethics and Rules of Conduct (Code - Attachment 1) represent ABP's commitment to ethical and efficient provision of services. It describes the expected behavior of ABP employees providing services, and supports the culture of ethical and efficient service provided to citizens and clients.
 - A. New and rehired employees shall be introduced to and briefed on the Code during new employee orientation sessions. Supervisors shall introduce and explicitly discuss the Code with each employee (including new employees) under his/her supervision and discuss conduct and transactions that violate the Code.
 - B. To verify that employees have received a copy of the Code, classified employees must sign and date the Code of Ethics and Rules of Conduct Annual Acknowledgement Statement by the effective date of this policy or during orientation, and annually during performance reviews or promotion. Unclassified employees shall sign the initial statement by the effective date of this policy or during new employee orientation, and on or around January 3rd in subsequent

years. The original (initial and subsequent) signed statements shall be maintained in the subsequently ABP employee personnel files in the HRS, with a copy to the employee for his/her file.

IV. ATTACHMENTS.

Attachment 1—Code of Ethics and Rules of Conduct

Form—Acknowledgment of the Code of Ethics and Rules of Conduct

**Arkansas Board of Parole
CODE OF ETHICS AND RULES OF CONDUCT**

CODE OF ETHICS

1. **Primary Mission of ABP Employees.** The ABP mission is dedicated to the process of promoting public safety by the return of the offenders into the community through supervised, conditional release. It is our sincere desire that there will be successful transitions from confinement to responsible conduct within the community. To further the mission, each employee is expected to make a dedicated effort to conduct his/her official and private life in a manner that fosters public confidence in ABP.
2. **Conduct Toward All Persons.** The ABP subscribes to a policy of professionalism, equality, and fairness in the provision of services and the discharge of authorized duties. An employee shall respect and protect the civil and legal rights of all persons.
3. **Cooperation with Public Officials and Agencies.** An employee shall cooperate fully with other public officials and agencies in the discharge of authorized duties.
4. **Conflict of Interest.** Public employment is a public trust. An employee shall not attempt to realize personal gain or secure privileges or exemptions through the discharge of his/her duties for him/herself or others. Employees should not engage in activities that would result in a conflict of interest between the ABP, its governing body, funding source, staff, contractors, and/or volunteers. ABP employees must perform their duties in an ethical manner, and must not use their positions or knowledge gained from their positions for private or personal advantage. Arkansas Code Annotated (ACA) §21-8-304 also lists certain activities that are ethically prohibited activities for state employees and officials. If an employee becomes involved in an activity that could be considered as prohibited, the employee should immediately communicate the facts to this /her immediate supervisor. Nothing in this policy, however, should be construed as limiting communications between ABP employees and their elected officials (3-3068).
5. **Outside Activities, Employment, and Directorships.** ABP employees should avoid acquiring any business interest, engaging, or participating in outside employment or activity that would conflict with his/her official duties.
6. **Relationships with Suppliers, Professional Clients, and Co-workers.**
 - a. With Professional Clients and Suppliers. Employees must adhere to ACA §19-11-705 in their relationships with clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Director of the Department of Finance and Administration (DFA) in accordance with ACA §19-11-706 and the Rules and Regulations for Implementing Governor's Executive Order 98-04.
 - b. With Co-workers

(1) An employee shall not engage in sexual contact during assigned work hours or while on ABP premises or in ABP vehicles.

(2) The employee shall not enter into or continue associations or dealings with persons whom the employee knows or should know are reputed to be involved in current felonious or criminal behavior, with exception of associations or dealings necessary to perform official duties or when family relationships make such associations or dealings unavoidable.

(3) Business and intimate personal relationships between supervisors and subordinates are prohibited. Personal relationships shall include dating, cohabitation, and any sexual relationship. Business relationships include loaning and borrowing money and business partnerships. ABP employees at different levels of the same chain of supervision shall not engage in social relationships that are prejudicial to or compromising of good order and discipline.

7. **Gifts, Entertainment, Favors, and Gratuities.** An employee shall not solicit, demand, accept, or agree to accept any personal gift, entertainment, favor, gratuity or preferential treatment that could be reasonably interpreted as influencing the employee's judgment or decisions in the discharge of his or her duties. Specific procurement laws addressing gratuities is codified in ACA §19-11-707 and included in Part 4 of the Procurement law and Regulations promulgated by the Office of State Procurement. Refer to Rules and Gifts issued by the Arkansas Ethics Commission for detailed rules on gifts at http://arkansasethics.com/rules/Rules_on_Gifts.doc. (3-3069)
8. **Kickbacks and Prohibited Commissions.** ABP employees must not receive kickbacks, prohibited commissions or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law. Specific procurement law addressing kickbacks and commissions is codified in ACA §19-11-707 and ACA §19-11-8 and included in Part 4 of the Procurement Law and Regulations promulgated by the Office of State Procurement.
9. **Organizing Funds and Other Assets.** Employees who have access to ABP funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in DFA's Financial Management Guide or other explanatory materials, or both. If an employee has knowledge of fraud or waste of public assets, the employee should immediately advise his/her immediate supervisor.
10. **Organization Records and Communications.** Employees must not make or engage in any false record or communication, internal or external, such as false expense, attendance, production, financial or similar reports and statements; and false advertising, deceptive marketing practices, or other misleading representations. ABP books and records must reflect accurate and timely recording of all business transactions. Full disclosure of ABP assets, liabilities, receipts and disbursements must be made.
11. **Dealing with Outside People and Organizations.** Employees must not use their position or affiliation with ABP when communicating regarding matters not involving ABP business. Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve ABP business, employees must not speak for ABP on any topic, unless they are certain that the views they express are those of ABP management, and that it is ABP management's desire

that such views be expressed publicly. When dealing with anyone outside ABP, including public officials, employees must take care not to compromise the integrity or damage the reputation of ABP or any other entity.

12. **Partisan Political Activity.** Employees are encouraged to participate in election processes on their own time. Annual, compensatory or holiday leave may be taken for this purpose. However, an employee shall not endorse candidates in his or her official capacity as a State employee or engage in partisan political activity during the hours he/she is performing work for the state of Arkansas. Political banners, posters, literature, or any other political materials shall not be displayed on State property (4-ACRS-7E-13).
13. **Prompt Communications.** ABP employees shall respond promptly and accurately to all requests for information and complaints regardless of the source.
14. **Privacy and Confidentiality.** An employee shall not disclose to any unauthorized person any information declared by law, policy, or regulation to be confidential nor use such information for his or her personal gain or benefit. When handling financial and personal information about those with whom ABP has dealings, the following principles will be observed:
 - a. Collect, use and retain only the personal information necessary for ABP business. Whenever possible, obtain any relevant information directly from the person concerned. Use only reputable and reliable sources to supplement this information.
 - b. Retain information only for as long as necessary or as required by law. Protect the physical security of this information.
 - c. Limit internal access to personal information to those with a legitimate business reason to have the information. Use personal information only for the legitimate business purpose for which it was obtained. Release of any information to persons not involved with the stated business purpose should be made by management in response to a Freedom of Information Act request. Any tax information that is confidential pursuant to ACA §26-18-303 should not be disclosed, except as allowed by law.
15. **Discriminatory Behavior Prohibited.** The ABP does not condone, permit or tolerate discrimination of persons--whether other employees, applicants, victims, or members of the public--on the basis of race, color, sex, religion, age, national origin, pregnancy, or disability. An employee or agent of the ABP who knowingly permits, engages in or incites such discrimination, interferes with an investigation, or retaliates against anyone who has filed a complaint will be subject to disciplinary action up to and including termination of employment.
16. **Professionalism.** While on the job, an employee shall demonstrate professionalism as follows: Courteous, Patient, and Respectful Attitudes. An employee shall be patient, courteous, and respectful when dealing with other employees and the public. An employee shall be tactful in the performance of his or her duties, control his or her temper, exercise patience and discretion, and not become involved in inappropriate arguments even in the face of provocation. Inappropriate Language and Gestures. An employee shall not use violent, profane, or insolent language or gestures. Inappropriate Actions. An employee shall not engage in horseplay, fighting, practical jokes, or any other conduct that endangers the safety of any individual.

17. **Private Conduct.** An employee shall conduct him/herself at all times, both on and off the job, in such manner as to reflect favorably on the ABP. Conduct unbecoming an employee shall include that conduct which damages the image of the ABP as a law enforcement/criminal justice agency or reflects discredit upon the character of the employee as a member of the ABP, or which impairs ABP operations.
18. **Conformance to Laws and Rules.** An employee shall not commit or omit acts which he or she knows, or should know, would constitute a violation of any written rules, regulations, procedures, directives, memorandums, or ABP orders. An employee shall strive to obey all the laws and regulations of the United States and of the State and local jurisdiction in which the employee is present. ABP will not condone employee conduct that either violates or has the appearance of violating the law and ethical provisions, such as receiving payments for illegal acts, indirect contributions, rebates or bribery, etc. Since the conduct of an ABP employee, on or off duty, may reflect upon the ABP as a law enforcement/criminal justice agency, an employee must conduct him/herself in a manner that does not impair the operation or integrity of the Department or cause the public to lose confidence in it. Accordingly, an employee arrested for a violation of law shall immediately report that fact to a member of his/her supervisory chain. A conviction or admission of any violation that interferes with or impairs an employee's duties, public trust, or the operations or efficiency of the ABP shall be considered some evidence constituting a violation of this policy. However, lack of a criminal complaint, charge, or disposition, or an acquittal of a violation of law, shall not preclude internal administrative investigation and disciplinary action.
19. **Employees Responsibilities.** Employees have a responsibility to report occurrences of ethical violations, fraud, waste or abuse of ABP resources that can be verified through investigation. Employees are also responsible for being familiar and complying with the Code of Ethics and Rules of Conduct, and annually acknowledging their awareness (by signature) and understanding of it.

RULES OF CONDUCT

20. **Punctuality.** An employee shall be punctual in all his or her official engagements.
21. **Reporting for Duty.** An employee shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform his/her duties. A non-exempt employee may not work beyond his/her regular day without prior supervisory approval. He/she shall be properly equipped and cognizant of information required for proper performance of duty so that he/she may immediately assume his/her duties.
22. **Absenteeism.** An employee shall not falsely report illness or injury, misuse sick leave or otherwise deceive or attempt to deceive agency officials as to the conduct of his/her health.
23. **Work Performance.** In fulfilling job responsibilities, an employee shall act competently, with reasonable diligence, and a commitment to professional service. An employee has a duty to fully understand his or her job responsibilities and is obligated to seek assistance from superiors in matters of technicality or principle when they are not clear. Dereliction of duty or misrepresenting job performance violates this standard and subjects an employee to immediate and severe discipline.

24. **State Property.** State property shall be used only for State business. An employee shall accept responsibility for the proper care, accountability, and maintenance of State property. An employee shall not misuse, abuse, or allow misuse or abuse of State property.
25. **Employee Telephone Numbers.** An employee shall notify his or her supervisor within seventy-two (72) hours of a change in the employee's home telephone number. Employees shall not give other employees' non-work telephone numbers to other non-employees.
26. **Attentiveness.** An employee shall remain alert at all times during business hours.
 - a. **Prohibition of Sleeping.** An employee shall remain awake while on duty and during lunch and break periods while in public areas on ABP property. If unable to do so, and in danger of falling asleep, he or she shall report to a supervisor, who shall immediately release the employee from duty, and place him/her in appropriate leave status pending further supervisory review and appropriate action.
 - b. **Inattentiveness.** While on duty, an employee shall not engage in any activities or personal business that causes him or her to neglect or be inattentive to his or her assigned tasks.
29. **Insubordination.** An employee shall promptly obey any lawful order of, and follow all reasonable instructions issued by, a supervisor or superior.
30. **Truthfulness.** An employee responding to superiors, supervisors, agency fact-finding processes, or other internal or administrative processes shall cooperate fully and completely and truthfully answer all questions related to his or her official duties. Furthermore, reports submitted by an employee will be truthful, complete, timely, and in accordance with established ABP report writing procedures. No employee shall knowingly enter or cause to be entered inaccurate, false or improper information nor improperly alter or intentionally omit pertinent information on any document prepared in the performance of his/her job duties.
31. **Abuse of Process.** An employee shall not knowingly make false accusations of employee misconduct or initiate any action against other employees in retaliation for their filing of a lawsuit or grievance or for any other purpose.
32. **Garnishments and Unresolved Debt.** Employees are expected to honor their legal debts and avail themselves of services such as debt counseling and/or debt consolidation to avoid garnishments. Failure to honor debts acknowledged by an ABP employee to be valid or reduced to judgment by a court is a rule of conduct violation. Multiple garnishments, for different debts, against an employee's wages will subject an employee to progressively, more severe disciplinary action. Four garnishments-each for a different debt-within a two-year period are grounds for an employee's termination. If a garnishment is the result of another person's failure to honor a debt (e.g., employee co-signed for a relative), disciplinary action may be reduced accordingly. However, ABP will in no circumstance act as a collection agency or determine the validity or amount of contested debts. The existence of large amounts of unresolved debt can justly or unjustly make an employee vulnerable to conflict-of-interest charges and should be avoided.
33. **Possession and Use of Drugs.** An employee shall not possess or use any controlled substance in violation of State or federal law or ABP policy. Employees taking prescription drugs shall notify their immediate supervisor if any physical or pharmacological condition

exists which causes physical or emotional impairment that could affect their ability to perform the essential functions of their duties safely. Impairment is considered to be a condition that can affect judgment, reaction time, or motor skills, as it may affect the ability to perform certain duties safely and proficiently or to operate a motor vehicle safely. In instances where an employee believes and/or medical personnel indicate that a medication may affect judgment and/or reaction time, authorization to perform certain essential duties and/or operate a motor vehicle will be suspended. Authorization will be reinstated upon the cessation of the effects of the medication. An employee may be required to take sick leave if the medication prevents the employee from doing his or her job.

34. **Use of Alcohol While on the Job.** An employee shall not perform duties under the influence of intoxicants nor consume intoxicants during work hours, on or off state-owned or state leased property, including lunch and break periods.
35. **Citizen Complaints and Requests for Information.** An employee shall courteously and promptly accept and, if needed, record in writing any request for information about, or citizen complaint against, the agency or any ABP employee. An employee may attempt to resolve a complaint, but shall never attempt to dissuade any citizen from lodging a complaint and shall immediately inform his or her supervisor of any complaint. All requests for information shall be handled pursuant to ABP policy and procedure.
36. **Safety.** Employees must observe fire prevention and other safety rules. The employee must also drive carefully and avoid accumulating excessive points on his/her driving record, otherwise, the employee may be prohibited from using a State vehicle and receiving personal mileage reimbursement or be terminated if driving is an essential function of the job.
37. **Travel Reimbursement.** Employees who travel on agency business must ensure that their travel plans have advance approval from their supervisor and that travel reimbursement requests are reasonable, true, accurate, and made in compliance with ABP policy. Any violation of Governor's Policy Directive #6 Travel Reimbursement is cause for termination.

TO: Arkansas Board of Parole
FROM: Leroy Brownlee, Chairman
RE: ABP Employee
Acknowledgment of the Code of Ethics and Rules of Conduct

I understand that the Code of Ethics and Rules of Conduct policy referenced above is located on the ABP web site and is available for my review or printing during business hours. My supervisor and I have reviewed and discussed the ABP Code of Ethics and Rules of Conduct.

I understand it is my responsibility to read it thoroughly and ask questions of my supervisor if I don't understand it. I understand that my signature on this document indicates that I have read and fully understand the prohibited activities and my professional ethical conduct responsibilities as an employee of the ABP as described in the ABP Code of Ethics and Rules of Conduct. I understand that nothing contained in ABP policies, handbooks, applications and other documents, or the granting of any interview, or the placement in a probationary status, or any other administrative act, creates a contract between myself and the ABP for either employment or the provision of benefits.

I have signed and dated this acknowledgment and understand it will be maintained in my personnel file in the Human Resources Section.

Employee Signature

Supervisor Signature

Date

Date

NOTE TO SUPERVISOR

Review and discussion of the ABP Code of Ethics and Rules of Conduct is an annual requirement.

This signed document shall be submitted to the ABP Fiscal Manager along with the classified employee's annual performance review.