

Chapter: Workplace Standards
Title: Workplace Conduct

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ACA Standard(s): N/A

(a) **Policy.**

The Texas Youth Commission (TYC) establishes standards of workplace conduct for volunteers. The standards are minimum requirements and are not all-inclusive. The absence of a specific rule covering any act tending to discredit a volunteer or the agency does not mean that the act is condoned, is permissible, or would not call for disciplinary action.

Volunteers are expected to exercise reason and judgment consistent with their assignments and training. Youth rights must be observed at all times. Volunteers are expected to be courteous and professional in dealing with youth and to be cooperative and compatible in their dealings with employees. Concerns regarding staff or fellow volunteers should be expressed properly through the community relations coordinator.

Volunteers are subject to all applicable rules, regulations, policies and procedures of TYC and the facility/program where they volunteer. Although TYC makes applicable policies and policy revisions available to volunteers, each volunteer shares responsibility in remaining aware of agency policies.

(b) **Rules.**

(1) **Volunteer/Youth Relationships.**

- (A) A volunteer is expected to maintain constructive two-way communication, using concern, empathy, respect and fairness when dealing with youth and youth issues. A volunteer must not taunt, provoke, yell, scream, intimidate, curse, or use any improper language in front of youth.
- (B) A volunteer must maintain an appropriate adult/youth relationship at all times, and know and respect the youth's rights.
- (C) A volunteer must maintain professional and appropriate boundaries with youth. Personal information is not to be shared by the volunteer except in situations where it is necessary to carry out the volunteer assignment.
- (D) A volunteer must not pursue a relationship with a youth beyond the scope and limitations of the volunteer assignment, including, but not limited to, offering to foster or house a youth.
- (E) Sexual contact with youth under TYC jurisdiction is strictly forbidden. If an allegation of sexual misconduct is substantiated, disciplinary action will be taken up to and including termination. All allegations of sexual misconduct will be referred to law enforcement for investigation and possible prosecution.

(2) **Reporting Youth Mistreatment, Fraud, and Illegal Activities.**

- (A) When a volunteer has cause to believe that a youth has been or may be adversely affected by abuse, neglect, or exploitation by an employee, volunteer or contractor in programs or facilities under TYC jurisdiction, he/she must report the matter within 24 hours to the TYC Office of Inspector General Incident Reporting Center (IRC).
- (B) A volunteer is required to report suspected incidents of fraud, and other job-related illegal activities to the IRC. Fraud includes any intentional deception, misrepresentation or omission of important facts.

(3) Cooperation with Investigation.

- (A) In criminal investigations conducted by the Office of Inspector General, a volunteer accused of committing a criminal offense has a constitutional right to remain silent, and invoking the right to remain silent will not be used against the volunteer, either criminally or for continued enrollment purposes.
- (B) A volunteer who is not accused of committing a criminal offense has a duty, as a condition of enrollment, to cooperate fully in all investigations conducted by the agency, whether criminal or administrative in nature, and whether conducted by the Office of Inspector General, a supervisor, or by other authorized personnel. This duty of cooperation requires that the volunteer answer all assignment-related questions fully and truthfully. Failure to cooperate fully can result in discharge from the volunteer program.

(4) Confidentiality.

- (A) Pursuant to GAP.81.41, a volunteer is expected to maintain confidentiality of all agency records and information pertaining to youth, and all personnel-related records and information pertaining to employees and volunteers, except as ordered by the courts, specifically permitted by law, or administratively approved.
- (B) The discussion of such information, even between employees and/or volunteers, should be in the line of service, impersonal and discreet.
- (C) Breach of confidentiality will result in disciplinary action up to and including termination.

(5) Money and Gifts.

- (A) A volunteer may not exchange money or goods, regardless of value, with a youth unless authorized by the community relations coordinator.
- (B) Religious items intended for youth must be approved by the correctional facility chaplain or the manager of chaplaincy services.

(6) Sexual Conduct.

- (A) All inappropriate sexual conduct is strictly prohibited and will not be tolerated. Inappropriate sexual conduct is conduct of a sexual nature that is detrimental to morale, interferes with job performance, or has a negative impact on a safe, professional and pleasant work environment.
- (B) A volunteer who feels that he/she has been subject to inappropriate sexual conduct or learns about such conduct directed toward another individual must report it immediately in accordance with PRS.35.09.

(7) Searches.

All Texas Youth Commission (TYC) volunteers, their personal possessions, their vehicles parked in certain locations, and their work areas or agency property assigned to them are subject to search as necessary to maintain safe, rehabilitative environments in TYC facilities or to investigate misconduct. A volunteer who refuses consent to be searched or refuses consent to search his/her personal property, including his/her personal vehicle parked in a secure TYC parking lot, his/her work area will be subject to immediate removal from the facility and disciplinary action, up to and including termination of volunteer enrollment, and local law enforcement may be notified.

(8) Reporting Criminal Charges.

- (A) Each volunteer has a duty to notify TYC if he/she is arrested or notified of criminal charges, or if there is a change in the status of criminal proceedings against the volunteer. **Within two (2) work days**, a volunteer must provide notice either by telephone or in writing to the community relations coordinator after any of the following:
- (i) an arrest for any offense;
 - (ii) an indictment;
 - (iii) other official notification that the volunteer has been charged with a crime; or
 - (iv) any change in the status of any criminal charge against the volunteer (e.g., dismissal, conviction, the initiation or termination of proceedings to revoke probation, etc.).
- (B) The action to be taken by the community relations coordinator on the basis of a pending criminal charge will depend on the nature of the arrest, charge or indictment, its bearing on the volunteer's duties, and the interests of the agency.

(9) Political Activity/Political Influence.

- (A) Political campaigning of any kind must take place outside of working hours and outside the TYC office or facility.
- (B) No state funds or property shall be used to influence the outcome of any election or passage or defeat of any legislative measure.

(10) Use of State Property, Facilities, or Equipment.

- (A) It is a violation of state statute to use state property, facilities or equipment for purposes other than official business.
- (i) A volunteer may use state property, such as computers, office supplies and equipment, and office space, only when authorized for a specific assignment or community resource council activity. To obtain computer system access for a volunteer, the community relations coordinator must request it through the manager of volunteer services.
 - (ii) A volunteer may not use the official TYC letterhead or pre-printed facility envelopes. However, community resource councils may use blank envelopes and postage provided by TYC for official correspondence.
 - (iii) A volunteer will be subject to disciplinary action up to and including termination for misuse of state property.
 - (iv) If assigned or issued state property is lost, stolen, or damaged, a volunteer must immediately notify his/her supervisor and the community relations coordinator.

(11) Use of Insignia or State Identification.

Identification cards and other insignia of authority indicating a TYC volunteer's official identification must not be used in the following ways:

- (A) to exert influence;
- (B) to obtain either directly or indirectly, privileges, favors, or rewards for the volunteer or others; or
- (C) to improperly enhance the volunteer's own prestige.

(12) Integrity of TYC Records.

- (A) A volunteer may not remove, alter, or destroy TYC records without prior authorization. Reports, logs, and other records required of the volunteer must be truthful and accurate.
- (B) Any material misrepresentation of information in an application for volunteer enrollment submitted to the agency will be grounds for rejecting the candidacy of the person, or for discharge of the person from volunteer activity if discovered during enrollment.

(13) Access to TYC Computer Systems.

- (A) A volunteer with access to TYC information resources should not, under any circumstances, share his/her user ID and/or password with anyone.
- (B) A volunteer should not allow anyone other than agency computer support staff to use a computer logged in with his/her user ID and/or password under any circumstances.
- (C) A volunteer is prohibited from allowing TYC youth access to any TYC computer system except those systems specifically provided for educational purposes.
- (D) A volunteer is prohibited from using TYC computers to access, distribute, print, view, or receive pornographic material.

(14) Prohibited Items in the Workplace.

- (A) A volunteer may not have a weapon in his/her possession while on duty, whether or not the volunteer is licensed to carry a concealed handgun. A volunteer may not possess a weapon in a state vehicle or TYC building, office, facility or facility ground, program (including contract programs), or on any land owned or leased by TYC.
- (B) A volunteer may not possess illegal drug paraphernalia, as defined in §§481-485 of Texas Controlled Substances Act, on TYC premises.
- (C) Accessing, distributing, printing, viewing, or receiving pornographic material on TYC premises is grounds for immediate dismissal.

(15) Intoxicants or Drugs.

Consuming, possessing, using, or being under the effects of alcohol, drugs or any mood-altering substance while volunteering on TYC premises and/or working with TYC youth is prohibited. Exceptions will be made for prescription drugs or over-the-counter medications that do not significantly interfere with the performance of volunteer duties. A volunteer who is taking a prescription drug or over-the-counter medication which may impair mental or physical capabilities must notify his/her supervisor prior to commencing a volunteer activity. It is the supervisor's responsibility to determine, in consultation with the community relations coordinator, whether the volunteer can safely and effectively perform assigned duties while taking the drug or medication. If the supervisor determines the volunteer cannot safely or effectively perform his/her assigned duties while taking the drug or medication, the volunteer must leave the TYC premises.

(16) Betting or Gambling.

State law prohibits betting or gambling while on state property.

(17) **Smoking.**

TYC prohibits smoking in all TYC offices and facilities. Smoking may be allowed outdoors on TYC premises in locations designated as smoking areas.

(18) **Personal Appearance and Dress.**

- (A) A volunteer is expected to exercise good judgment in maintaining personal appearance and dress that is consistent with assigned duties and providing a positive model for youth.
- (B) A volunteer may wear attire that is appropriate for the assignment, including jeans and athletic shoes. Other athletic clothing may be approved if the function of an assignment requires it.
- (C) Attire that is suggestive or contains suggestive, offensive, or derogatory slogans is prohibited. Suggestive, offensive, or derogatory body art must be covered at all times.

(19) **Vehicles.**

- (A) A non-employee volunteer may not drive a state-owned vehicle.
- (B) Volunteers are expected to obey all traffic laws while conducting TYC business.
- (C) A volunteer whose job description includes transportation of youth must have a valid driver's license issued from the state in which they reside and an acceptable driving record. Authorized drivers may be subject to a periodic driving records check. A volunteer's driving record is evaluated according to Texas Education Agency and Department of Public Safety standards. An authorized driver whose driving record has ten (10) or more penalty points or exceeds the number of moving violations is ineligible to transport youth. An authorized driver must supply a current copy of his/her insurance declarations page demonstrating minimal coverage as required by Texas law.
- (D) The state is liable only to the extent stipulated by law when an authorized driver is involved in a motor vehicle accident while conducting TYC business.
- (E) **Within two workdays**, a volunteer whose job description includes transportation of youth must provide notice either by telephone or in writing to the community relations coordinator of any change in his/her driving record or an accident that occurs while on duty.

(20) **Work Behavior.**

- (A) A volunteer is expected to maintain cooperative, helpful attitudes toward fellow volunteers, supervisors, employees, youth, and the general public.
- (B) Volunteer must not use profane, derogatory, or offensive language regarding race or gender.
- (C) While on duty, volunteers are expected to conduct themselves in a manner which neither disrupts nor causes others to disrupt the usual routine of business.
- (D) A volunteer does not have unrestricted access to TYC facilities. A volunteer should report to the assigned location without delay, and depart after the assignment/shift has ended.

(21) **Personal Items.**

The agency has the authority to limit and regulate the entry of personal property items in TYC facilities and on state property; however, the volunteer is expected to take full responsibility for any personal item brought to work.

(22) **Updating Personal Data.**

Volunteers are expected to maintain a current telephone number, address, name and emergency contact on file with the community relations coordinator.

(23) **Safety.**

(A) Volunteers are expected to perform their assignments safely and to remain alert.

(B) Each volunteer is responsible for initiating preventive safety measures to control hazardous conditions and reporting any hazardous condition to the community relations coordinator.

(24) **Supervision of Youth.**

(A) In high restriction facilities, a volunteer must remain under direct visual supervision by TYC staff while interacting with youth.

(B) A volunteer may not participate in a physical restraint of youth. If a disruption arises among youth, a volunteer should immediately move to a safe location and notify staff.

(25) **Participation in Physical Activity.**

Volunteers on duty shall not participate with youth in recreation, physical education, large muscle exercise or physical training unless such participation is specifically a part of the volunteer's job description.
