

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 08/24/2020	NUMBER 02.03.107
SUBJECT <b>CODE OF ETHICS AND CONDUCT - EMPLOYEES</b>	SUPERSEDES 02.03.107 (05/20/2019)	
	AUTHORITY MCL 15.321 et seq.; 15.341 et seq.; 791.203; Administrative Rule 791.2245; Civil Service Rules 1-12.7, 1-12.8, 2-8; MCL 4.411 to 4.431	
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**POLICY STATEMENT:**

To provide all employees of the Department with a clear understanding of the behavior expected of them and to prevent improper conduct that may adversely affect the Department, staff-client relationships, the public trust or confidence.

**POLICY:**

- A. Exclusively represented employees shall be governed by their Collective Bargaining Unit Agreement where in conflict with this policy.
- B. All employees of the Department will comply with each provision of the Civil Service Rules including 1-12.7 Conflict of Interest, 1-12.8 Notice and 2-8 Ethical Standards and Conduct and 1973 PA 196, Standards of Conduct for Public Officers and Employees, MCL 15.341 – 15.348.
- C. Any criminal conduct or advocacy of criminal behavior by Department staff shall be considered conduct unbecoming of a Department employee.
- D. Any personal benefit arising from an employee's relationship with Corrections' clients, or out of the authority of their office that is not specifically authorized by Department policy or in violation of Civil Service Rules/Regulations, is improper conduct and shall be considered conduct unbecoming of a Department employee. Samples of conduct unbecoming include but are not limited to:
  - 1. No privately-owned automobile shall be serviced through state-owned facilities regardless of whether or not the automobile is used in the performance of official duties.
  - 2. No produce or foodstuff purchased from state funds will be made available to officials, citizens or employees of the Department except prepared meals served in facilities of the Department in accordance with Department policy and MSI promotional items/events approved by the Department. Additionally, State funds shall not be used to purchase appliances that will be exclusively for employee use.
  - 3. No employee shall accept loans, gifts of money, goods or services, nor other arrangement for personal benefit, directly or indirectly involving possible influence or appearance of influence upon the manner in which they perform the work, makes a decision, or otherwise discharges duties as a Corrections employee. This provision does not prohibit the Director from giving awards to employees.
  - 4. Employees will not accept gifts or services in the form of labor from prisoners, probationers, parolees or their relatives nor from any other persons in connection with or on behalf of corrections clients.
  - 5. Employees will not accept favors from prisoners or accept prisoner labor. This does not prohibit employees from patronizing approved shoeshine concessions or purchasing hobby craft items at market value through approved hobby craft sales.
  - 6. Any business or investment dealing where the employee uses knowledge or influence from their employment with the Department for personal gain shall be considered a conflict of interest and is prohibited. Employees involved in outside employment shall comply with Civil Service Rule 2-8 Ethical Standards and Conduct, 2-8.3 Disclosure and refer to PD 02.03.105

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"Outside Employment" to ensure compliance. Exploitation of prisoner labor by employees shall not be allowed. Typing school or university papers, drawing blueprints for personal use of employees or any other such service is prohibited.

7. All employees of the Department of Corrections shall comply with the Civil Service Rules and Department work rules as specifically outlined in the Department of Corrections Employee Handbook. Violations will be subject to appropriate disciplinary action.
  8. Additional examples of conflicts of interest can be found in the Employee Handbook, Section 4, Conflict of Interest.
- E. Employees are required to disclose to their personnel office any action they or other Department employees may be involved in that could be viewed as a conflict of interest. Employees who fail to comply with the provisions of this policy will be subject to appropriate corrective or disciplinary action.
- F. Employees found to have a conflict of interest shall, as a condition of continuing employment, divest themselves of the specific conflict(s) of interest within a timetable provided by the Director.
- G. In order to avoid any conflict of interest due to a family relationship between a supervisor and their subordinate, employees shall not be assigned to the immediate supervision of any family members including grandparents, parents, step-parents, grandchildren, children, step-children, spouse, siblings, cousins, uncles, aunts, nephews, nieces, or in-laws. Immediate supervision is defined as being the first line supervisor. All Deputy Directors, Administrators, CFA/FOA Assistant Deputy Directors, and Wardens shall refrain from employing family members into the administration, institution, or area under their control. Employees under the supervision of a family member may remain in their current position if that position was held prior to the effective date of this policy.
- H. Any violation of this policy should immediately be reported to the appropriate Warden, Assistant Deputy Director, or appropriate Deputy Director for possible investigation. Any established violation shall be investigated.
- I. An employee shall not engage in unauthorized political activities while on duty. The levying, solicitation, collection, or payment of any type of political assessment is prohibited. This includes the authorizing or ordering such activity.

#### PROCEDURES

- J. An operating procedure is not required for this policy.

#### AUDIT ELEMENTS

- K. A primary audit elements list has been developed and is available on the Department's Document Access System (DAS) to assist with the self-audits required by PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 07/10/2020