

DEPARTMENT OF THE ARMY  
HEADQUARTERS, JOINT READINESS TRAINING CENTER AND FORT POLK  
FORT POLK, LOUISIANA 71459-5341

CIVILIAN PERSONNEL  
BULLETIN No. 05-06

## **STANDARDS OF CONDUCT SUMMARY**

The purpose of this bulletin is two-fold. First, it is intended to serve as a reminder that as Federal employees, we, supervisors and employees alike, have a responsibility to observe and maintain a high standard of conduct and to respect and observe the rules and/or procedures of our employer, the Department of the Army. In doing so, however, we also have a right to know what is expected of us and what the consequences of not fulfilling those expectations will be.

On February 3, 1993, the U.S. Office of Government Ethics published "Standards of Conduct for Employees of the Executive Branch, 5CFR 2635. It applies to the Army and is your primary source of guidance for ethics and the Standards of Conduct. On August 30, 1993, Secretary Aspin signed DoD Directive 5500.7R, "Joint Ethics Regulation". It supplements the OGE Standards, and covets additional topics. This is a punitive regulation applicable to all members of DoD.

### **General Principles**

- Use government resources only for Government purposes.
- Do not use public office for private gain.
- Do not give preferential treatment to any private entity.

### **Gifts from Outside Sources**

- You may not solicit or accept a gift from a "Prohibited Source" or a gift given because of your official position. A "Prohibited Source" is any non-Federal entity that seeks official action or does business with the Army, or; has interest that may be substantially affected by your official duties.

### **Exceptions to the Prohibited Gifts Rule Include**

- a gift of \$20 or less, with a limit of \$50 per year per source
- gifts based on a purely personal relationship
- discounts or promotions available to a large segment of the public
- awards and prizes given as a part of a regularly established program of recognition
- free attendance at a widely attended conference, when attendance would further Government interests.

### **Conflicting Between Employees**

- You may not take action, or provide any input to a matter which will have a direct and predictable effect on your financial interests, or the interests of your spouse or children.

### **Impartiality in Performing Official Duties**

- You must perform your official duties fairly and impartially. You may not give special treatment to anyone affected by the performance of your duties.

## **Misuse of Position**

- You may not use your official position to coerce benefits from a private party.
- You may not use your official position to imply that the Government endorses or sanctions a product, service, enterprise, or private organization.
- You may not use information for private purposes (information not available to the public).
- You may not use Government property for private purposes.
- You may not use official time for private activities.

## **Outside Activities**

- The Hatch Act (as of October 9, 1993), limits civilian employee political activities. AR 600-20 imposes uniformed personnel under different restrictions that general prohibit participation in political activities.
- All Federal employees are prohibited from acting as a representative for a non-Federal party in matters in which the Government has an interest.
- You may not accept outside employment that conflicts with, or otherwise interferes with the performance of your official duties.
- You may not be paid for outside speaking, teaching or writing which “relates to your official duties”, or otherwise involves “remerchandising” the work you do for the Government.
- You may not use your official position for private fundraising efforts. Support to charities must be purely personal.
- You must satisfy all of your legitimate financial legal obligations.

## **THE ARMY ETHIC**

**DUTY** is doing what needs to be done at the right time despite difficulty or danger; it is obedience and disciplined performance.

**INTEGRITY** means steadfast adherence to a standard of honesty, uprightness, and particularly to the avoidance of deception.

**LOYALTY** is to nation, to the Army, to the unit and its individual soldiers is essential.

**SELFLESS SERVICE** puts the welfare of the nation and the accomplishments of the mission ahead of individual desires.

To ensure that we understand what is expected of us and what the consequences of not fulfilling those expectations will be, with this bulletin, we are transmitting copies of the Table of Penalties. The Table of Penalties is a list of the infractions committed most frequently by agency employees, along with a suggested range of penalties for each. The penalties are graduated in severity based on whether an employee has no previous record of misconduct, has a single previous incident of documented misconduct, has two previous incidents of documented misconduct, etc. More serious types of misconduct have a more serious suggested penalty or range of penalties for a first offense than less serious types.

We trust that the knowledge of what is expected of us as Federal employees and the consequences of our actions will motivate us to continue to conform to acceptable standards of conduct, thereby facilitating mission accomplishment.

If you have any questions about the Standards of Conduct, you should contact the Ethics Counselor assigned to your organization.

**//ORIGINAL SIGNED//**  
DONALD R. MALLETT  
Director, Civilian Personnel Advisory Center

**AR 690-700; Chapter 751**

**Table 1-1: Table of Penalties for Various Offenses**

**A. BEHAVIORAL OFFENSES FOR WHICH PROGRESSIVE DISCIPLINE IS APPROPRIATE**

<b>OFFENSE</b>	<b>NATURE OF OFFENSE</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>	<b>REMARKS</b>
1. Insubordination	Refusal to obey orders, defiance of authority.	Written reprimand to removal	5 day suspension to removal	Removal	
2. Fighting/ Creating a Disturbance*	a. Creating a disturbance resulting in an adverse effect on morale, production, or maintenance of proper discipline.	Written reprimand to 5 day suspension	5 to 10 day suspension	10 day suspension to removal	*Penalty may be exceeded if work is severely disrupted.
	b. Threatening or attempting to inflict bodily harm without bodily contact.	Written reprimand to 14 day suspension	14 day suspension to removal	30 day suspension to removal	*Penalty may be exceeded based on such factors as type of threat, provocation, extent of injuries, whether actions were defensive or aggressive in nature, or whether actions were directed at a supervisor.
	c. Hitting, pushing or other acts against another without causing injury.	Written reprimand to 30 day suspension	30 day suspension to removal	Removal	
	d. Hitting, pushing or other acts against another causing injury.	Written reprimand to removal	Removal		
3. Sleeping on duty	a. Where safety of personnel or property is not endangered.	Written reprimand to 1 day suspension	1 to 5 day suspension	5 day suspension to removal	
	b. Where safety of personnel or property is endangered.	1 day suspension to removal	Removal		
4. Loafing; delay in carrying out instructions	a. Idleness or failure to work on assigned duties.	Written reprimand to 3 day suspension	1-5 day suspension	5 day suspension to removal	
	b. Delay in carrying out or failure to carry out instructions within the time required.	Written reprimand to 3 day suspension	1-5 day suspension	5 day suspension to removal	
5. Attendance related offenses	a. Any absence from the regularly scheduled tour of duty which has not been authorized and/or for which pay must be denied (AWOL) or any absence from management directed additional hours of duty (Unauthorized Absence). Includes leaving the work site without permission	Written reprimand to 5 day suspension	1-14 day suspension	5 day suspension to removal	Penalty depends on length of absences. Removal may be appropriate for 1st or 2nd offenses if the absence is prolonged
	b. Failure to follow established leave procedures	Written reprimand to 5 day suspension	1-5 day suspension	5 day suspension to removal	
	c. Unexcused tardiness	Written reprimand to 1 day suspension	1 to 3 day suspension	1 to 5 day suspension. Habitual tardiness warrants removal	Includes delay in reporting at the scheduled starting time, returning from lunch or break periods, and returning after leaving

					work station on official business. Penalty depends on length and frequency of tardiness.
6. Unauthorized use of alcohol, drugs or controlled substances	a. Unauthorized possession or transfer of alcoholic beverages while on government premises or in a duty status.	Written reprimand to 5 day suspension	5-14 day suspension	14 day suspension to removal	Penalty may be exceeded when aggravating circumstance are present. See AR 600-85.
	b. Unauthorized use of alcoholic beverages while on government premises or in a duty status.	Written reprimand to 14 day suspension	14-30 day suspension	30 day suspension to removal	
	c. Reporting to work or being on duty while under the influence of alcohol, a drug or a controlled substance to a degree which would interfere with proper performance of duty, would be a menace to safety, or would be prejudicial to the maintenance of discipline. See para. 13 for other drug related offenses.	Written reprimand to 30 day suspension. Removal may be warranted if the safety of personnel or property is endangered.	14 day suspension to removal	Removal	
7. Discourtesy	a. Discourtesy, e.g., rude, unmannerly, impolite acts or remarks (non-discriminatory).	Written reprimand to 1 day suspension	1 to 5 day suspension	3-10 day suspension	Penalty for fourth offense within 1 year may be 14 day suspension to removal. Penalty may be exceeded if discourtesy or similar conduct was directed to a supervisor.
	b. Use of abusive or offensive language, gestures, or similar conduct (non-discriminatory)	Written reprimand to 10 day suspension	5 day suspension to removal	30 day suspension to removal	
8. Gambling	a. Participating in an unauthorized gambling activity while on Government premises or in a duty status.	Written reprimand to 1 day suspension	1-5 day suspension	5-30 day suspension	See AR 600-50
	b. Operating, assisting or promoting an unauthorized gambling activity while on Government premises or in a duty status or while others involved are in a duty status.	14 day suspension to removal	Removal		
9. Indebtedness	Failure to honor valid debts where agency mission or employee performance are affected.	Written reprimand	Written reprimand to 1 day suspension	Written reprimand to 5 day suspension	See AR 690-700, chap. 735, app E. There must be a clear nexus between efficiency of the service and the debt complaint.

**B. OFFENSES WARRANTING PUNITIVE DISCIPLINE**

OFFENSE	NATURE OF OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	REMARKS
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10. False Statements	a. False statements, misrepresentation, or fraud in entitlements, includes falsifying information on a time card, leave form, travel voucher, or other document pertaining to entitlements.	Written reprimand to removal	30 day suspension to removal	Removal	See para. 2-1. Removal is warranted for a first offense.
	b. False statements or misrepresentations on an SF 171, or other documents pertaining to qualifications, or on any official record not otherwise enumerated.	Written reprimand to removal	14 day suspension to removal	30 day suspension to removal	See para. 2-1. Removal is warranted when selection was based on falsified SF 171 where falsification was intentional (i.e., not an omission or where intent can be proven), or where the employee occupies a fiduciary position.
	c. Knowingly making false or malicious statements against co-workers, supervisors, subordinates, or government officials with the effect of harming or destroying the reputation, authority, or official standing of that individual or an organization.	Written reprimand to removal	Removal		
	d. Deliberate misrepresentation, exaggeration, concealment, withholding of a material fact. Includes perjury, making false sworn statements, and lying to a supervisor.	Written reprimand to removal	5 day suspension to removal	10 day suspension to removal	
11. Stealing	Stealing, actual or attempted, unauthorized possession of government property or property of others, or collusion with others to commit such acts.	14 day suspension to removal	Removal		See para. 2-1. Penalty depends on such factors as the value or the property or amounts of employee time involved, and the nature of the position held by the offending employee which may dictate a higher standard of conduct.
12. Misuse or abuse of Government Property	a. Using Government property or Federal employees in a duty status for other than official purposes.	Written reprimand to removal	1 day suspension to removal	14 day suspension to removal	See AR 600-50. Penalty depends on such factors as the value of the property or amounts of employee time involved, and the nature of the position held by the offending employee which may dictate a higher standard of conduct.
	b. Loss of or damage to government property, records or information when an employee is entrusted in safeguarding Government property as an absolute requirement of the job (e.g., cashier, warehouse worker, property book officer)	Written reprimand to 14 day suspension	Written reprimand to removal	14 day suspension to removal	

	c. Willfully using or authorizing the use of a government passenger motor vehicle or aircraft for other than official purposes.	30 day suspension to removal	Removal		See 31 USC 1349. Penalty cannot be mitigated to less than 30 days.
	d. Misuse of Government credentials	Written reprimand to removal	5 day suspension to removal	14 day suspension to removal	
	e. Intentionally mutilating or destroying a public record.	Removal			18 USC 2071
13. Unauthorized use or possession of a controlled substance	a. Introduction of a controlled substance to a work area or government installation for personal use	3 day suspension to removal	Removal		
	b. Introduction of a controlled substance to a work area or government installation in amounts sufficient for distribution or distribution of a controlled substance on a government installation	Removal			
14. Failure to observe written regulations, orders, rules, or procedures	a. Violation of administrative rules or regulations where safety to persons or property is not endangered.	Written reprimand to 1 day suspension	1-14 day suspension	5 day suspension to removal	
	b. Violation of administrative rules or regulations where safety to persons or property is endangered	Written reprimand to removal	30 day suspension to removal	Removal	
	c. Violations of official security regulations. Action against National Security				
	(1) Where restricted information is not compromised and breach is unintentional	Written reprimand to 5 day suspension	1-14 day suspension	5 day suspension to removal	See AR 604-5 and 5 USC 7532
	(2) Where restricted information is compromised and breach is unintentional	Written reprimand to removal	30 day suspension to removal	Removal	
	(3) Deliberate violation	30 day suspension to removal	Removal		
15. Discrimination because of race, color, religion, age, sex, national origin, political affiliation or handicap, or	Prohibited discriminatory practice in any aspect of employment (e.g., employment, appraisal, development, advancement or treatment of employees). Includes failure to prevent or curtail discrimination of a	Written reprimand to Removal			Appropriate penalty depends on the facts in a given case weighed against DA policy that discrimination is prohibited.

marital status	subordinate when the supervisor knew or should have known of the discrimination.				
16. Sexual Harassment. Influencing, offering to influence, or threatening the career, pay, job, or work assignments of another person in exchange for sexual favors OR deliberate or repeated offensive comments, gestures or physical contact of a sexual nature.	a. Involving a subordinate	1 day suspension to removal	10 day suspension to removal	30 day suspension to removal	Appropriate penalty depends on the fact situation in a given case weighed against DA policy that sexual harassment will not be tolerated. Where conduct created a hostile or offensive work environment, removal is warranted for a first offense.
	b. Not involving a subordinate	Written reprimand to 30 day suspension	5 day suspension to removal	10 day suspension to removal	
17. Constitutional Violation	Violation of employee's constitutional rights (i.e., freedom of speech/association/religion.)	Written reprimand to removal	5 day suspension to removal	30 day suspension to removal	
18. Conduct Unbecoming a Federal Employee	a. Immoral, indecent, or disgraceful conduct	1 day suspension to removal	Removal		Includes off-duty conduct if nexus is established.
	b. Solicitation of or accepting anything of monetary value from person who is seeking contracts or other business or financial gain	10 day suspension to removal	Removal		
19. Refusal to testify; interference or obstruction	a. Refusal to testify or cooperate in a properly authorized inquiry or investigation	1 day suspension to removal	5 day suspension to removal	Removal	Witness shall be assured freedom from restraint interference, coercion, discrimination, or reprisal in their testimony.
	b. Interference with attempting to influence, or attempting to alter testimony of witnesses or participants.	5 day suspension to removal	10 day suspension to removal	Removal	
	c. Attempting to impede investigation or to influence investigating officials.	10 day suspension to removal	30 day suspension to removal	Removal	
20. Political Activity	a. Violation of prohibition against soliciting political contributions.	Removal			5 USC 7323, 7324 and 7325
	b. Violation of prohibition against campaigning or influencing elections.	30 day suspension to removal	Removal		
21. Misappropriation	a. Directing, expecting or rendering services not covered by	Removal			5 USC 3103

	appropriations				
	b. Failure to deposit into the Treasury money accruing from lapsed salaries or from unused appropriations from salaries.	Removal			5 USC 5501
22. Job Actions	Participating in or promoting a strike, work stoppage, slow down, sick out or other job actions.	Removal			
23. Reprisal	a. Intentional interference with an employee's exercise of, or reprisal against an employee for exercising a right to grieve, appeal or file a complaint through established procedures.	Written reprimand to removal	5 day suspension to removal	30 day suspension to removal	
	b. Reprisal against an employee for providing information to an Inspector General, MSPB Office of Special Counsel, EEOC or USACARA investigator, or for testifying in an official proceeding.	Written reprimand to removal	5 day suspension to removal	30 day suspension to removal	
	c. Intentional interference with an employee's exercise of, or reprisal against an employee for exercising a right provided under 5 USC 7101 <u>et seq</u> (governing Federal Labor-Management Relations).	Written reprimand to removal	5 day suspension to removal	30 day suspension to removal	
	d. Finding by MSPB of refusal to comply with MSPB order or finding of intentional violation of statute causing issuance of a special counsel complaint.	Written reprimand to removal	Removal		5 USC 1206(g)(1) and 1207(b)