MS 204 Volunteer Conduct

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Issuance Memo (11/26/2003)
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Issuance Memo (09/08/2017)
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Issuance Memo (02/12/2020)
Issuance Memo (07/29/2020)

Attachments
Attachment A – Core Expectations for Peace Corps Volunteers
Attachment B – Memo to Country Directors from Esther Benjamin, July 14, 2010 (Re: Guidance on disciplinary options)
Attachment C – Options for Disciplinary Action under MS 204 Volunteer Conduct
Attachment D – Peace Corps Drug Free Service Agreement

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4.0 Effective Date

1.0 Purpose

This manual section sets out the rules and policies which govern Volunteer and Trainee (V/T) conduct.

2.0 Authority


3.0 Policies

3.1 General Policy

It is Peace Corps policy that V/Ts conduct themselves in a manner reflecting credit on the Peace Corps and the United States. Appropriate V/T conduct is critical to the Peace Corps because it is intimately tied to the reputation and effectiveness of the Agency's Volunteer program and the safety and security of V/Ts and post staff.

V/Ts have responsibilities more complex than those of private citizens. While they are expected to learn and respect host country culture and customs as Peace Corps Volunteers, they must also conduct themselves in a way that reflects credit on the United States and the Peace Corps. Indeed, the V/T is often the most identifiable, and frequently the only, U.S. citizen in a community. Accordingly, V/Ts are expected to adopt lifestyles sensitive to host country cultural norms, and exercise common sense and good judgment to promote safety and reduce risks at home, at work, and while traveling. (See also MS 270 Volunteer/Trainee Safety and Security).

3.2 Post Policies

Because cultural values and safety and security considerations vary among Peace Corps countries, each Country Director (CD), with the advice of host country nationals and V/Ts, shall establish written local policies on V/T conduct that are consistent with this manual section. These policies shall identify specific inappropriate conduct that would likely affect the credibility
of the program, impair the effectiveness of a V/T in his or her assignment, or endanger the V/T's safety and security. The CD shall distribute the post's local policies to all V/Ts.

3.3 Enforcement of Policies

Basic responsibility for enforcing Peace Corps policies regarding all aspects of V/T conduct rests with the Country Director. The Country Director, with the support of in-country staff, is responsible for providing V/Ts with continuous guidance regarding social behavior throughout their terms of service. When the CD becomes aware of infractions to this policy by V/Ts, he or she should take appropriate disciplinary or corrective action. All Peace Corps program, training, and administrative staff, and contractors, are also responsible for immediately reporting any infraction, or suspected infraction, of the Peace Corps Policies on V/T conduct to the Country Director. In addition, Peace Corps Medical Officers (PCMO) must extend confidentiality to the Country Director regarding actual or possible drug use and excessive use of alcohol as set forth in section 3.6. V/Ts are also strongly encouraged to report infractions, or suspected infractions, of this policy by V/Ts (see MS 271 Confidentiality Protection).

3.4 Disciplinary Actions

Any violation of the policies in the Peace Corps Manual or the post-specific policies regarding V/T conduct may be grounds for disciplinary action up to and including administrative separation under MS 284. In determining appropriate disciplinary action, Country Directors should consult:

(a) Attachment B - Memorandum to Country Directors on disciplinary options.

(b) Attachment C - Options for Disciplinary Actions under MS 204 Volunteer Conduct.

(c) Attachment D – Peace Corps Drug Free Service Agreement

3.5 Drug Use

3.5.1 General Policy

Peace Corps has a zero tolerance policy regarding V/T involvement with drugs. Involvement with drugs includes, but is not limited to, the direct sale, distribution, acquisition, purchase, possession, smuggling, and use of illicit drugs, including marijuana, and any drug not authorized by the Peace Corps for medical purposes. V/T involvement with drugs can seriously jeopardize the entire Peace Corps program, as well as the safety and health of V/Ts.

In accordance with MS 861 Office of Inspector General, suspected sale, distribution, or smuggling of illegal or prescription drugs, or any other violations of Peace Corps policies that may have a serious impact on the integrity of Peace Corps programs or operations, shall be reported expeditiously by Peace Corps staff to the Office of Inspector General. In case of uncertainty as to whether particular misconduct by V/Ts should be reported to OIG, Peace Corps staff are urged to consult with OIG or the Office of the General Counsel. In accordance with MS 271 Confidentiality Protection, all allegations or concerns identified by V/Ts will be given serious consideration and review and will be handled, resolved, or disposed of, as appropriate, by Peace Corps management or, if appropriate, the Office of Inspector General.
Except as described in section 3.5.2 below regarding Voluntary Self-Referral, a V/T found to be involved with drugs, as described above, in a manner not authorized by the Peace Corps for medical purposes, in any way in any country, shall be administratively separated immediately pursuant to section 3.5.4. The Peace Corps enforces this strict policy not only because the cultivation, manufacture, and traffic in and use of drugs, including marijuana, is illegal in most countries; but also because drug involvement by V/Ts in any country could seriously jeopardize the entire Peace Corps program, as well as the safety and health of the V/Ts. Moreover, it is a violation of the trust Peace Corps has placed in V/Ts upon their selection and entry into public service. Individuals separated in connection with involvement with drugs (whether via administrative separation, resignation in lieu of administrative separation, or medical separation) shall not be considered for a transfer to another program or reinstatement regardless of the quality of their service.

Applicants are required to sign the Peace Corps Drug Free Service Agreement reflecting this policy (see MS 204 Attachment D). Any applicant who fails to sign this agreement will not receive further consideration.

3.5.2 Voluntary Self-Referral

A V/T may request help from Peace Corps staff on the basis that his/her involvement with drugs is associated with an illness (such as a substance use disorder as defined in the Diagnostic and Statistical Manual of Mental Disorders) that requires treatment. A V/T who makes such a request prior to the Peace Corps (including the Office of Inspector General) receiving information indicating that the V/T may be in violation of the section 3.5.1 General Policy will not be immediately administratively separated for drug use. Instead, a V/T who requests help under these circumstances shall be referred to the PCMO and Office of Health Services (OHS) for assessment. The PCMO/OHS must inform the Country Director about whether or not the assessment resulted in a recommendation for medical evacuation to the United States of America. A V/T who is medically evacuated shall not return to service. If the V/T is not medically evacuated or medically separated, the V/T shall be referred back to the Country Director for administrative separation in accordance with MS 284 Early Termination of Service. In addition, if a V/T for whom medical treatment is recommended subsequently does not comply with recommended treatment, the OHS will notify the Country Director, who shall initiate administrative separation procedures. (See MS 294 Confidentiality of Volunteer Information; MS 294 Confidentiality of Volunteer Information Guidance section 4.1.3(e).)

3.5.3 Notifications

Because of the potentially serious social, political, and legal impact of such incidents, every case of V/T drug involvement shall be brought immediately to the personal attention of the Peace Corps Director, Deputy Director, Chief of Staff, Associate Director for the Office of Global Operations, and the appropriate Regional Director.

3.5.4 Administrative Separation for Involvement with Drugs

For administrative separation for involvement with drugs, see MS 284 Early Termination of Service section 4.0 Administrative Separation.
3.5.5 Unconfirmed Allegations or Rumors

Although a V/T may not be formally charged with violating drug laws, some host countries' attitudes toward involvement with drugs are so negative that mere rumors of such involvement, though unproven, may affect the credibility of the individual V/T or the Peace Corps program. In cases where an unsubstantiated allegation is made that a V/T is involved with drugs while serving in the host country, and the Country Director determines that the knowledge of the allegation is sufficiently widespread to jeopardize the credibility of the V/T or the program, the Country Director may discontinue the service of the V/T as interrupted service (see section 5.0 of MS 284 Early Termination of Service). When documenting such cases, the Country Director shall refrain from indicating that an opinion has been formed regarding the validity of the allegations.

3.6 Use of Alcohol

3.6.1 Peace Corps recognizes that excessive use of alcohol, including binge drinking, may compromise V/T’s health, safety and security, lead to behavior which is a discredit to the Peace Corps or the individual V/T, or affect the V/T's performance in an assignment. Examples of such behavior include but are not limited to: public intoxication, drinking while at the work site, failure to appear for work or training due to intoxication or hangovers, and verbal or physical aggressiveness while under the influence of alcohol. Such inappropriate or unsafe behavior or inability to perform adequately in the assignment may be grounds for disciplinary action, including administrative separation. V/Ts who choose to drink are responsible for their conduct at all times; and must always consider host country laws and culture and the effects of their conduct on their service and the in-country program.

3.6.2 Excessive alcohol consumption may also be a medical problem as determined on a case-by-case basis by the PCMO. In all such cases, the PCMO should consult with the Peace Corps Office of Medical Services for guidance, and, in cases of alcohol-related behavior as provided in section 3.6.1, at the same time extend medical confidentiality to the Country Director.

3.7 Code of Ethics

Peace Corps V/Ts may not take advantage of a situation in the host country, or use their Peace Corps status for their own financial gain. This means that V/Ts shall not:

(a) Purchase or acquire real estate, bonds, shares, or stocks of commercial concerns headquartered in the country of assignment, or which conduct a substantial portion of their business in that country;

(b) Engage in any business or activity for profit or personal financial gain or undertake any gainful employment; or

(c) Sell or dispose of personal property at prices producing profits, including those which might result from import privileges deriving from the status of Peace Corps V/T.

3.8 Financial Gain
As outlined in the Code of Ethics for V/Ts, V/Ts may not accept payment for their services except from the Peace Corps, or engage in any activity for personal financial gain within the host country. This prohibition includes a ban on making investments within the host country or receiving payment for written work or photographs relating to the V/T’s assignment during the period of V/T services. In cases where payment cannot be avoided, the Trainee or V/T must report receipt of such payment to the Country Director and must donate the proceeds to a worthwhile institution or organization in the host country or, if he or she chooses, to the Peace Corps Partnership Fund. Violation of these provisions may be grounds for administrative separation from Peace Corps.

3.9 Political Expression

The Peace Corps' credibility, and hence its ability to perform its mission, is contingent on not becoming identified with controversial or political issues of local interest or local political issues or movements. V/Ts abroad are not in-country in a purely individual capacity with obligations only to themselves. They are abroad having responsibilities to, and representing, Peace Corps.

Therefore, V/Ts must avoid becoming involved in the political affairs of their host country. Any public statement or action, which potentially may involve a V/T with host country political issues or other controversial issues within the host country, or which are otherwise matters of official concern to Peace Corps, must be first discussed and reviewed with the Country Director. "Matters of official concern" are those that are related to Peace Corps or U.S. foreign policy, or matters that can reasonably be expected to affect the foreign relations of the United States. Failure to do so may result in disciplinary action, up to and including administrative separation. A V/T's statements or actions concerning such issues that, in the opinion of the Country Director, impair the effectiveness of the Peace Corps or the individual V/T, may be grounds for administrative separation or other disciplinary action.

Generally speaking, V/Ts are free to privately discuss issues relating to the United States or other countries. In doing so, they must comply with the laws of the host country and they should make it clear that the views expressed are their own and not necessarily those of the Peace Corps or the U.S. Government. V/Ts should be aware, however, that public political expression overseas may raise issues of V/T safety and security if the issues could provoke hostility locally. V/Ts should also be aware that, particularly in the area of foreign affairs, some policies or actions of the United States or other countries may relate to political issues or other controversial issues within the host country. A V/T's statements or actions concerning such issues that may, in the opinion of the Country Director, endanger the safety and security of the individual V/T or the post, or impair the effectiveness of the Peace Corps or the individual V/T, may be grounds for administrative separation or other disciplinary action. V/Ts are free to petition the U.S. Government and its officials in the same manner as they could had they remained in the United States.

3.10 Contact with Media Representatives

V/Ts are free to discuss their role in the Peace Corps with media representatives; however they should, if possible, notify their Country Director of such discussions before they take place. V/Ts
must be aware of, and be sensitive to, the impact their personal comments may have on themselves, their co-workers and program, and the Peace Corps world-wide.

3.11 Publication of Articles

V/Ts may write articles for publication; however, these should be discussed in advance with the Country Director to ascertain whether they might cause problems which the V/T may not have anticipated. Publication of material, contrary to the advice of the Country Director, which subsequently results in adverse consequences for the V/T or the program, may be grounds for administrative separation.

3.12 Exercise of Personal Religious Beliefs

V/Ts are free to exercise their personal religious beliefs, but they may not engage in religious proselytizing. V/Ts who are not clear as to what activity constitutes religious proselytizing should consult with their Country Director. Violation of the restriction against proselytizing, because of the serious adverse consequences it could have on the program, may be grounds for administrative separation.

3.13 Ownership/Use of Firearms or Radio Transmitters

V/Ts are not permitted to use or possess any firearms. Those who wish to hunt while on leave may request the Country Director's permission to rent or borrow weapons appropriate for the purpose. V/Ts may not possess radio transmitters without the express permission of the Country Director.

3.14 Sexual Behavior

While the matter of V/T sexual behavior is a highly personal one, V/Ts are required to follow certain legal and policy requirements and failure to do so may be grounds for disciplinary action up to and including administrative separation.

3.14.1 Host Country Sexual Mores

Because of the legal, social, and political implications of inappropriate behavior, it is important that Peace Corps standards be clear. To this end, Country Directors shall ensure that V/Ts understand host country sexual mores, including in relation to dating, pre-marital experience, and single parent maternity and paternity, and the consequences for V/Ts and the Peace Corps program if these mores are violated. Post Guidance in this area should be provided in writing to V/Ts.

3.14.2 Procurement of Commercial Sex

V/Ts are prohibited from procuring commercial sex, regardless of whether prostitution is legal in the host country.
3.14.3 Sexual Activities with Children

Depending on the applicable age of consent, V/Ts who engage in sexual activity or contact with minors overseas may be subject to prosecution both in the United States and in the host country. Regardless of the applicable age of consent, V/Ts are prohibited from engaging in sexual activity or contact with anyone who is under the age of 18. (See MS 648 Child Protection)

3.15 Fraternization

V/Ts are subject to the Peace Corps fraternization policy in MS 644 Fraternization.

3.16 Prevention and Elimination of Harassment, including Sexual Harassment

V/Ts who believe they have been harassed based on the protected categories set forth in section 4.1 of MS 653 (including sexual harassment) by other V/Ts may file complaints in writing with the Office of Civil Rights and Diversity (OCRD). Complaints to OCRD must be filed within 30 days of the occurrence. Such complaints, as well as complaints of general harassment not based on a protected category under MS 653 Equal Employment Opportunity and Affirmative Employment, may also be filed with the OIG or with the Country Director.

V/Ts who believe they have been harassed or witnessed harassment by Peace Corps staff should consult the Peace Corps harassment policy in MS 645 Prevention and Elimination of Harassment, Including Sexual Harassment.

3.17 Volunteer/Trainee Sexual Misconduct

V/Ts are subject to the Peace Corps sexual misconduct policy as outlined in Interim Policy Statement 1-12 Volunteer/Trainee Sexual Misconduct.

3.18 Paternity

3.18.1 A V/T who fathers a child by a woman to whom he is not married may be administratively separated if the Country Director determines that the V/T's action has impaired his ability to perform in his assignment or the credibility of the Peace Corps program, or has violated host country law or custom.

3.18.2 Regardless of any disciplinary action taken by the Country Director, the V/T, prior to his departure from the host country, should be encouraged to fulfill, or arrange to have fulfilled, his responsibilities for providing support to the mother and child. To that end, he must provide the Country Director with a written statement describing his plans for meeting these responsibilities. Host country law or custom may serve as a guide in determining the appropriate extent of compensation. Although the Country Director has no authority to question the adequacy of any compensation offered by the V/T, it is appropriate to determine whether the amount is acceptable to the mother or to her family. If the offer is not considered adequate, the family should be advised that further redress should be made against the V/T through local legal procedures rather than through the Peace Corps.
3.18.3 The Peace Corps shall not provide counsel to the V/T in the event such legal action takes place unless the Country Director determines, and the General Counsel concurs, that proceedings will result in a violation of the V/T's fundamental rights (see MS 774 Retention of Counsel and Payment of Expenses for the procedures governing retention of counsel overseas).

3.18.4 The V/T's readjustment allowance may be used to satisfy financial obligations in cases involving V/T paternity only when the V/T has consented in writing to such use or where his financial obligation has been established through legal process.

3.19 Personal Appearance

CDs have both the authority and the responsibility to establish specific post guidelines with regard to the personal appearance of V/Ts. Such policies should reflect the Peace Corps policy that V/Ts are expected to dress suitably both on and off the job, and respect host country and community attitudes towards personal appearance.

3.20 Conduct of V/T's Children or Non-V/T Spouse

The behavior of a V/T's children or a non-V/T spouse may have direct impact on the effectiveness of the V/T's service and on the Peace Corps program. As a result, children of V/Ts, with due regard for their ages, and non-V/T spouses shall maintain the same standards of conduct expected of V/Ts.

V/Ts whose non-V/T spouses or children behave in a manner which adversely affects their credibility or that of the program may be subject to administrative separation, according to the procedures of MS 284 Early Termination of Volunteers and Trainees.

4.0 Effective Date

The effective date of this Manual Section is the date of issuance.