

# MS 204 Volunteer Conduct

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**Responsible Office:** Safety and Security (OSS); Counseling and Outreach Unit (OHS/COU)

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## Issuance Memo

Issuance Memo (11/26/2003)

Issuance Memo (05/20/2005)

Issuance Memo (06/28/2011)

Issuance Memo (08/29/2011)

Issuance Memo (07/10/2014)

Issuance Memo (10/31/2014)

Issuance Memo (06/25/2015)

Issuance Memo (02/09/2017)

Issuance Memo (09/08/2017)

Issuance Memo (12/01/2017)

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## 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*

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## **1.0 Purpose**

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

## **2.0 Authority**

22 U.S.C. §2504(a).

## **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, 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).

### **3.2 Post Policies**

Because cultural values and safety and security considerations vary among Peace Corps countries, each Country Director, 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 of the policies on V/T conduct, 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 must extend confidentiality to the Country Director regarding actual or possible drug use and excessive use of alcohol.

### **3.4 Disciplinary Actions**

Any violation of the policies in the Peace Corps Manual or the post-specific policies on 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*.

### **3.5 Drug Use**

#### **3.5.1 General Policy**

Except as described in section 3.5.2 below regarding Voluntary Self-Referral, a V/T found to be involved with drugs in a manner not authorized by the Peace Corps for medical purposes, in any way in any country, will 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. Individuals separated in connection with involvement with drugs (whether via administrative separation, resignation in lieu of administrative separation, or medical separation) will not be considered for a transfer to another program or reinstatement regardless of the quality of their service.

#### **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 will be referred to the PCMO and Office of Health Services 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 will not return to service. If the V/T is not medically evacuated or medically separated, the V/T will be referred back to the Country Director for administrative separation in accordance with Manual Section 284. 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 will 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 Notice to Director**

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 and the appropriate Regional Director.

### **3.5.4 Administrative Separation for Involvement with Drugs**

- (a) Except as provided for in 3.5.2, if a V/T admits drug use to a Country Director or staff of the Office of Inspector General, in a manner not authorized by the Peace Corps for medical purposes, in any way in any country, the V/T will be administratively separated immediately as follows: the CD must inform the V/T orally or in writing that the V/T is being administratively separated and has the option to resign in lieu of administrative separation within 24 hours of being so informed. The decision to inform the V/T orally or in writing is in the CD's discretion. If the CD chooses to inform the V/T orally, the CD should follow up with a written notification to the V/T of such decision and the option for the V/T to resign in lieu of administrative separation, and that if the V/T does not resign within 24 hours, the CD shall administratively separate the V/T from service. See MS 284, Attachment I. When the V/T is administratively separated or resigns in lieu of administrative separation, the CD shall notify VRS of such action and provide a copy of the written notification in accordance with the instructions described in MS 284, Attachment H.
- (b) In any other cases where a V/T is found to be involved with drugs in a manner not authorized by the Peace Corps for medical purposes, but does not admit drug use, in any way in any country, under 3.5.1, the V/T will be administratively separated in accordance with the procedures set forth in MS 284, 4.1.

### **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 (MS 284.5). When documenting such cases, the Country Director shall avoid statements which indicate an opinion has been formed regarding the validity of the allegations.

### **3.6 Use of Alcohol**

**3.6.1** Peace Corps leaves decisions regarding the use of alcohol to the discretion of the individual V/T. Peace Corps recognizes, however, that excessive use of alcohol may compromise V/T 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.

**3.6.2** Excessive alcohol consumption may also be a medical problem as determined on a case-by-case basis by the Peace Corps Medical Officer. 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 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.

### **3.15 Fraternalization**

V/T's are subject to the Peace Corps fraternization policy in MS 644 *Fraternalization*.

### **3.16 Prevention and Elimination of Harassment, including Sexual Harassment**

V/T's are subject to the Peace Corps harassment policy in MS 645 Prevention and Elimination of Harassment, Including Sexual Harassment.

### **3.17 Paternity**

**3.17.1** 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.

**3.17.2** 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.

**3.17.3** The Peace Corps will 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/Payment of Related Expenses Overseas" for the procedures governing retention of counsel overseas).

**3.17.4** 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.

### **3.18 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.

### **3.19 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.