

### III. CODE OF PASTORAL CONDUCT

#### Code of Conduct for Employees, Volunteers, Contractors, Religious and Clergy

1. Be aware of your own and others' vulnerability when working alone with minors. Avoid being alone with children or youth at church activities and instead use a team approach to managing activities and emergency situations involving minors.
2. Physical contact with minors can be misconstrued and should occur
  - a. only when completely nonsexual and otherwise appropriate; and,
  - b. never in private.
3. Refrain from
  - a. the illegal possession or use of drugs or alcohol at all times; and,
  - b. the use of alcohol when working with minors.
4. Clergy should not allow individual children or youth to stay overnight in the cleric's private accommodations or residence.
5. Employees and volunteers should not provide shared, private, overnight accommodation for individual children or youth including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
6. In rare, emergency situations, when accommodation is necessary for the health and well-being of a child or youth, one should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
7. Personnel and other administrative decisions shall meet civil and Canon Law obligations and also reflect Catholic social teachings and diocesan policies.
8. One shall not use their position to exercise unreasonable or inappropriate power and authority.
9. Be aware of warning signs that indicate potential problems with one's own spiritual, physical, mental, and/or emotional health and seek help immediately whenever you notice the warning signs.
10. Adults, ages eighteen [18] and over who are expected to have regular or continuing contact with minors must complete the diocesan *Creating and Maintaining Safe Environments* training and educational program.
11. All prospective and current employees, volunteers, and contractors whose service gives them direct contact with minors shall be subject to a background and reference check, including a criminal history record check as permitted by law, for any history of sexual misconduct involving minors.
12. Each volunteer providing service to minors must read and sign the Volunteer Code of Conduct before providing services. In addition to the Code of Conduct requirements, the Volunteer Code of Conduct mandates that volunteers
  - a. treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration. Volunteers may not use profanity in the presence of children or youth, nor may they humiliate, ridicule, threaten, or degrade children or youth;

- b. use positive reinforcement rather than criticism, competition, or comparison when working with children or youth. Volunteers shall not use any discipline that frightens or humiliates children or youth, including spanking, shaking, or slapping;
- c. refuse to accept expensive gifts from children or youth or their parents without prior written approval from the pastor or administrator;
- d. refrain from giving expensive gifts to children or youth without prior written approval from their parent or guardian and the pastor or administrator;
- e. cooperate fully in any investigation of abuse of children or youth;
- f. refrain from smoking or using tobacco products in the presence of children or youth;
- g. refrain from using, possessing, or being under the influence of alcohol at any time while volunteering;
- h. refrain from posing any health risk to children or youth (i.e., no fevers or other contagious situations); and,
- i. refrain from touching a child or youth in a sexual or other inappropriate manner.

### **Guidelines for Pastoral Counseling**

- 13. Be aware of your own vulnerability and that of others when working with minors. Employees, volunteers, contractors, religious and clergy should avoid being alone with children or youth at Church activities and instead, use a team approach when managing activities and emergency situations involving minors.
- 14. Physical contact with minors can be misconstrued and should occur
  - a. only when completely nonsexual and otherwise appropriate; and,
  - b. never in private.
- 15. Refrain from
  - a. the illegal possession or use of drugs or alcohol at all times; and,
  - b. the use of alcohol when working with minors.
- 16. Clergy should not allow individual children or youth to stay overnight in the cleric's private accommodations or residence.
- 17. Employees, volunteers, contractors and religious should not provide shared, private, overnight accommodation for individual children or youth including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where no other adult supervision is present.
- 18. In rare, emergency situations, when accommodation is necessary for the health and well-being of a child or youth, should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- 19. Employees, volunteers, contractors, religious and clergy shall comply with all applicable civil and Canon Law obligations and shall also reflect Catholic social teachings and diocesan policies.

20. Employees, volunteers, contractors, religious and clergy shall not use their position to exercise unreasonable or inappropriate power and authority.
21. Be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health and seek help immediately whenever they notice the warning signs.

## **Harassment**

22. All employees, volunteers, contractors, religious and clergy shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment. Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:
  - a. Physical or mental abuse.
  - b. Racial insults.
  - c. Derogatory ethnic slurs.
  - d. Unwelcome sexual advances or touching.
  - e. Sexual comments or sexual jokes.
  - f. Requests for sexual favors used as a condition of employment or to affect other personnel decisions, such as promotion or compensation.
  - g. Display of offensive materials.
23. Sexual harassment by, or of anyone while performing work for the Church, whether paid or volunteer, is strictly prohibited. Sexual harassment is unacceptable in the workplace itself and in other work-related settings such as business trips, court appearances and business-related social events.
24. Individuals who believe they are being harassed are encouraged to firmly and promptly notify the offender that their behavior is unwelcome and inappropriate.
25. If such informal, direct communication is either ineffective or impossible, the individual should report the harassment to:
  - a. Any member of the Diocesan Review Board.
  - b. Their supervisor.

## **Ethical or Professional Misconduct**

All employees, volunteers, contractors, religious and clergy must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by anyone within this category, immediately notify the proper civil authorities and the person in charge of the facility or a designated delegate.

26. When it appears that employees, volunteers, contractors and clergy have violated diocesan policies or other religious, moral, or ethical principles,
  - a. report such issue(s) to a supervisor or next higher authority; or,
  - b. refer the matter directly to the Office of the Bishop, or the person in charge of the facility, or a designated delegate.

27. When an uncertainty exists about whether a situation or course of conduct violates diocesan policies or other religious, moral, or ethical principles consult with
  - a. peers;
  - b. others knowledgeable about ethical issues; or,
  - c. the Office of the Bishop or person in charge of the facility, or a designated delegate.

### **Sexual Misconduct**

28. Religious and clergy who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
29. Employees, volunteers, contractors, religious and clergy who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners.
30. Sexual misconduct by employees, volunteers, contractors, religious and clergy is strictly prohibited.
31. Sexual misconduct means any sexual conduct that is contrary to the doctrine and moral instructions of the Catholic Church and Canon Law and any sexual conduct prohibited by the laws of the State of Hawaii, including sexual harassment, sexual abuse, and sexual exploitation.
32. Sexual misconduct by employees, volunteers, contractors, religious and clergy should be taken seriously and reported to the person in charge of the facility or a designated delegate and to the civil authorities if the situation involves a minor.
33. In cases involving the sexual abuse of a minor or incompetent adult, the person in charge of the facility or designated delegate who receives the complaint shall immediately notify the appropriate public agency and the Bishop, or, in the event of his temporary absence, the Vicar General. In all other cases, the person receiving the complaint shall immediately refer the complaint to an investigation team appointed by the Bishop, or, in the event of his temporary absence, the Vicar General.
34. Employees, volunteers, contractors, religious and clergy should review and know the contents of the child abuse regulations and reporting requirements for the State of Hawaii and should follow those mandates.

## CODE OF CONDUCT AGREEMENT

Our children are the most important gifts God has entrusted to us. I promise to strictly follow the rules and guidelines in this Code of Conduct as a condition of my providing services to the children and youth of our diocese.

### I WILL:

1. Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
2. Avoid situations where I am alone with children and/or youth at church activities.
3. Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
4. Refuse to accept expensive gifts from children and/or youth or their parents or guardians without prior written approval from the pastor or administrator.
5. Refrain from giving expensive gifts to children and/or youth without prior approval from the parents or guardians, pastor, or administrator.
6. Report suspected abuse to the pastor, administrator, or appropriate supervisor, and the local Child Protection Services Agency. I understand that failure to report suspected abuse to civil authorities is, according to the law, a petty misdemeanor.
7. Cooperate fully in any investigation of abuse of children and/or youth.

### I WILL NOT:

1. Smoke or use tobacco products in the presence of children and/or youth while volunteering.
2. Use, possess, or be under the influence of alcohol at any time while volunteering.
3. Use, possess, or be under the influence of illegal drugs at any time.
4. Pose any health risk to children and/or youth (i.e., no fever or other contagious situations).
5. Strike, spank, shake, or slap children and/or youth.
6. Humiliate, ridicule, threaten, or degrade children and/or youth.
7. Touch a child and/or youth in a sexual or other inappropriate manner.
8. Use any discipline that frightens or humiliates children and/or youth.
9. Use profanity in the presence of children and/or youth.

I understand that in working with children and/or youth, I am subject to a thorough background check including criminal history as permitted by law. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal from working with children and/or youth.

I have read this Code of Conduct Agreement and understand all stated rules and guidelines. By signing below, I agree to abide by all terms of this Code of Conduct Agreement.

\_\_\_\_\_  
**PRINT NAME**

\_\_\_\_\_  
**SIGNATURE**

**DATE:** \_\_\_\_\_