**Mississippi Department of Rehabilitation Services**

**OVR/OVRB Policy & Procedure Manual**

**Section 20: Employee Ethical Guidelines & Practices**

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## **20.0 Preamble**

Staff of the Office of Vocational Rehabilitation (OVR) and the Office of Vocational Rehabilitation for the Blind (OVRB) are committed to facilitating personal, social and economic independence of individuals with disabilities. As State employees, OVR/OVRB staff comply with Mississippi State Personnel Board handbook and policies which seek to assure impartiality and independence of judgment of State officials and employees, avoid improper influence or the appearance of improper influence, and preserve the trust and confidence of the general public in their government.

In fulfilling their responsibilities, OVR/OVRB staff interact with people, programs, institutions and service delivery systems. OVR/OVRB staff provide services within the scope of their job description, professional responsibility and MDRS and OVR/OVRB policy, and recognize that both action and inaction may help or harm clients in achieving their goals.

In performing their duties in a manner that is consistent with their education, experience, expertise and position, and guided by the ideals of competence, integrity and objectivity, OVR/OVRB staff shall demonstrate adherence to ethical standards and shall assure that these standards are vigorously enforced consistent with the duties and responsibilities of their particular position. OVR/OVRB Employee Ethical Guidelines and Practices have been developed for consistency with the [Code of Professional Ethics for Rehabilitation Counselors of the Commission on Rehabilitation Counselor Certification](https://crccertification.com/wp-content/uploads/2023/04/2023-Code-of-Ethics.pdf) (revised effective 1/2023).

## **20.1 Ethical Principles**

The primary obligation of OVR/OVRB staff is to the clients, defined as people with disabilities who are applying for and/or receiving services from OVR/OVRB. The basic objective of these Ethical Guidelines & Practices is to promote public welfare by specifying and enforcing ethical behavior expected of all OVR/OVRB staff. (*Note: OVR/OVRB staff refers to all employees, including consultants, contractual employees, student interns, and volunteers of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind*.)

Ethical principles associated with valued service delivery actions are:

* **Autonomy:** To respect the rights of clients to be self-governing within their social and cultural framework
* **Beneficence:** To do good to others; to promote the well-being of clients
* **Fidelity:** To be faithful; to keep promises and honor the trust placed in CRCs/CCRCs
* **Justice:** To be fair in the treatment of all clients; to provide appropriate services to all
* **Nonmaleficence:** To do no harm to others
* **Veracity:** To be honest and truthful.**[[1]](#footnote-2)**

These six ethical principles form a basis for personal and organizational values, provide general directions for all actions or conduct and collectively act as a guide to ethical conduct for all OVR/OVRB staff.

## **20.2 Ethical Standards**

Standards are described in the following sections/categories:

**Section 1 – Moral and Legal Standards**

**Section 2 – Employee Client Relationship**

**Section 3 – Client Advocacy**

**Section 4 – Professional Relationships**

**Section 5 – Confidentiality**

**Section 6 – Competence**

For each section, a description of the standard is provided, followed by more specific rules of conduct for OVR/OVRB staff. Not all rules apply to every staff person since some are specific to particular job assignments. OVR/OVRB staff are expected to behave in accordance with these guidelines; violation may result in progressive disciplinary action in accordance with State Personnel Board Regulations and MDRS policies.

In each section Rules of Conduct are described, followed by specific practice implications for OVR/OVRB staff. Note that practice statements are meant to be illustrative and may not be all inclusive.

### **20.2.1 Section 1 – Moral and Legal Standards**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind shall conduct themselves in a legal, ethical, and moral manner in the performance of their duties and avoid any behavior which would cause harm to others.

#### **RULES OF CONDUCT**

Staff of the Office Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind:

1.1 Will obey the laws and statutes in the jurisdiction in which they are employed and are subject to disciplinary action for any violation, to the extent that such violation is considered employee misconduct and warrants disciplinary action.

1.2 Will be thoroughly familiar with, observe, and discuss with their clients the limitations of their services or benefits so as to facilitate honest and open communication and realistic expectations.

1.3 Will not engage in any act or omission of a dishonest, deceitful or fraudulent nature in the conduct of their activities.

1*.3 Example: Assuring that timekeeping records and reimbursement requests accurately reflect work activities and are consistent with MDRS Policy.*

1.4 Will not allow the pursuit of financial gain or other personal benefit to interfere with the exercise of sound professional judgment nor use their relationships with clients or providers to promote personal or financial gain.

1.5 Will understand and abide by the standards and rules of conduct of the OVR/OVRB Employee Ethical Guidelines and Practices described in OVR/OVRB Policy and Procedure Manual Section 2, and will not advocate, sanction, participate in, cause to be accomplished, otherwise carry out through another, or condone any act which is prohibited by these Guidelines and Practices or OVR/OVRB policy.

1.6 Will assure that their practice is consistent with current OVR/OVRB policy and applicable federal and state law and regulation.

1.7 Will refrain from imposing their personal standards, beliefs or cultural values on others.

1.8 Will avoid public behavior that violates commonly accepted moral and ethical standards or otherwise causes public disrepute.

1.9 Will assure that the agency credit card, tax exempt certification number, state vehicles and authorizations are not used for personal and/or unauthorized purposes.

1.10 Will respect the integrity of any institution, organization or firm with which they are associated when making oral or written statements, and, in those instances where they are critical of policies, will attempt to effect change by constructive and responsible actions.

*1.10 Example: Employees are viewed as representatives of the agency when communicating in public forums or communicating through social media. Staff shall be aware that statements, opinions and information communicated in public forums or posted on social network websites may be perceived as expressing the views of the agency.*

1.11 Will oppose employment practices which result in illegal or otherwise unjustifiable discrimination on any basis in hiring, promotion or training.

1.12 Will abide by MDRS policies on Internet and email usage.

1.13 Shall use workspace, assigned work hours, supplies and equipment exclusively for authorized work activities.

*1.13 Example: Not conducting secondary business activity or avocational activity during work hours or using space or equipment owned by MDRS to conduct such non-sanctioned activity. This means, for example, that staff shall not use MDRS copiers or color printers to reproduce a flyer for a part-time business; shall not use a MDRS office to meet with clients of a secondary business; shall not use a State vehicle to go to a non-work-related function or for personal recreation.*

1.14 Shall conduct community outreach activities consistent with ethical practices, emphasizing provision of accurate information to prospective clients, potential employers, providers, state agencies and other community partners.

### **20.2.2 Section 2 – Employee Client Relationship**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind shall carry out their duties consistent with the principles of respect for individual dignity, personal responsibility, self-determination and informed choice in the provision of services for individuals with disabilities.

#### **RULES OF CONDUCT**

Staff of the Office Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind:

2.1 Will make clear to clients the purposes, goals, and limitations that may affect professional relationships.

2.2 Will not accept a fee, gratuity, property, loan, promise or any other form of remuneration from clients.

*2.2 Example: Will refrain from soliciting, seeking or accepting any gift or benefit, including money, any service (e.g., meals, manicures, massages), gratuity, fee, property, loan or promise from clients except as required as part of the official operation of OVR/OVRB programs.*

*Will not purchase or otherwise receive services from any client who is establishing a small business per their* ***Individualized Plan for Employment (IPE)*** *whose record of services is in open status.*

2.3 Will not accept gifts or personal services from clients or their families or representatives, taking care to respond to such offers in a respectful manner considering cultural implications.

2.4 Will not assume primary or secondary management (direct services or supervisor/manager of the staff person providing direct services) of professional services for a family member, spouse, companion or any other individual with whom a personal relationship exists.

2.5 Will advise the Office Director of any family member, spouse, partner, significant other or any other individual with whom a personal relationship exists who is requesting or receiving OVR/OVRB services, including rehabilitation services and claims adjudication. The Office Director shall facilitate a case access exception record to restrict the staff member from reviewing information in the official record of his or her family member.

2.6 Will not misrepresent their role or competence to clients; will provide information about their credentials, if requested, and will refer clients to other specialists as needs dictate.

2.7 Will not establish any type of personal or social relationship with clients.

*2.7 Example: Staff shall not take a client to the staff person’s home, visit the client at their home aside from sanctioned home visits directly related to the rehabilitation program, or otherwise socialize with a client outside of established and approved agency programs and services.*

*Will not request a client to perform work activity (paid or unpaid) or favors, e.g., personal babysitting, for the benefit of the staff person.*

*Will only communicate with clients through methods approved by OVR/OVRB (U.S. mail, telephone and MDRS email). SMS/text may also be used if prior permission has been given by the client. Communication through any social network, online service or app could compromise confidentiality, privacy and boundaries of the professional relationship.*

2.8 Will not engage in or condone sexual harassment as defined in the MDRS Policy on Sexual Harassment and the [Mississippi State Personnel Handbook](https://www.mspb.ms.gov/sites/mspb/files/MSPB_File/Resources%20for%20HR/Policies/FY%202026%20Policies/FY%202026%20State%20Employee%20Handbook.pdf).

2.9 Will not condone or engage in activities which exploit clients for personal gain, expect or demand receipt of any benefit or otherwise impose demands which compromise the delivery of professional services.

2.10 Will honor the rights of clients to consent to participate in programs and receive services; will inform them or their legal representatives of their responsibilities; and will obtain informed, written consent, as appropriate, after informing clients of these rights and responsibilities.

*2.10 Example: Will not ask clients to sign a blank or incomplete form, even if verbal assurances are provided regarding how the form might be completed after signature.*

*Will obtain permission from clients prior to (1) recording sessions through electronic or other means and (2) observing counseling sessions.*

2.11 Will recognize that families and others are often an important factor in an individual’s rehabilitation or development of claims and will strive to enlist their understanding and involvement in promoting rehabilitation if the individual with a disability requests, desires or needs such support.

2.12 Will avoid initiating or continuing a service relationship if it is expected that the relationship will be of no benefit to the client, in which case appropriate alternatives will be suggested.

2.13 Will assure that information about programs and services is provided in the requested alternate format of the client.

2.14 Will not condone or engage in discrimination based on age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation, marital status or socioeconomic status.

2.15 Will demonstrate respect for clients’ cultural backgrounds.

*2.15 Example: Will recognize that clients come from a variety of cultural, social and religious backgrounds. Will develop and adapt interventions and services to incorporate and respect cultural, social and religious perspective of clients regarding the achievement of goals, objectives and outcomes.*

2.16 Will recognize that some clients may not benefit from services offered in a group setting. In the event that clients are offered services in a group setting, OVR/OVRB staff shall select members for group activities whose factors/traits (e.g., job readiness, interpersonal skills) are compatible with the purpose of the group. Staff shall provide one-on-one services to clients who may not benefit from the group process, or those whose well-being might be jeopardized in a group experience.

2.17 Will recognize and respect the confidentiality rights of family members who are clients. Will avoid providing rehabilitation services to two or more persons who have a relationship (e.g., husband/wife; parent/child); if circumstances require an OVR/OVRB counselor to provide services to two or more relatives, the counselor shall clarify roles and relationships as much as possible.

2.18 Will not witness clients’ personal documents, including powers of attorney, guardianship and advance directives.

### **20.2.3 Section 3 – Client Advocacy**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind shall advocate for people with disabilities within the parameters established by the Rehabilitation Act, the Social Security Act, and other federal and state laws and regulations.

#### **Rules of Conduct**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind:

3.1 Will promote access for individuals with disabilities to programs, facilities, transportation and communication, so that they may fully participate in rehabilitation, education and community activities.

3.2 Will assure, prior to referring clients to programs, facilities or employment settings, that they are appropriately accessible.

3.3 Will strive to understand accessibility problems of individuals with cognitive, hearing, mobility, visual and/or other disabilities and demonstrate such understanding in the practice of their profession.

3.4 Will strive to eliminate attitudinal barriers, including stereotyping and discrimination, toward individuals with disabilities and will enhance their own sensitivity and awareness toward individuals with disabilities.

3.5 Will remain aware of the actions taken by cooperating agencies on behalf of their clients and will advocate for effective service delivery.

### **20.2.4 Section 4 – Professional Relationships**

Staff of the Office of Vocational Rehabilitation and Office of Vocational Rehabilitation for the Blind shall act with integrity in their relationships with colleagues, other organizations, agencies, institutions, referral sources and other professions so as to facilitate the planning and delivery of effective services for their clients.

#### **Rules of Conduct**

Staff of the Office of Vocational Rehabilitation and Office of Vocational Rehabilitation for the Blind:

4.1 Will not engage in secondary employment with or have a financial interest in any entity which provides services for OVR/OVRB clients or hold any other personal or employment relationship which would impair the impartiality, and the independence of judgment expected of OVR/OVRB staff in the exercise of their responsibilities.

4.2 Will strive to ensure that there is a mutual understanding of a client’s rehabilitation plan by all agencies cooperating in planning and delivery of services and that each rehabilitation plan is developed with such mutual understanding.

4.3 Will actively support and collaborate on team decisions regarding rehabilitation plans and procedures, while retaining the professional authority to make independent eligibility and service decisions in compliance with federal guidelines and these Ethical Guidelines.

4.4 Will not commit other professionals to any prescribed course of action when transferring clients to other colleagues or agencies.

4.5 Will promptly supply all information necessary for a cooperating agency or rehabilitation specialist to begin serving clients.

4.6 Will not offer professional services to clients receiving such services from other OVR/OVRB staff without first notifying the other employee.

4.7 Will secure, from other specialists, appropriate reports and evaluations, when such reports are essential for planning and/or service delivery.

4.8 Will not accept gifts (aside from a token of nominal value not exceeding $5) from partner agencies, OVR/OVRB vendors or from OVR/OVRB employees with whom there is a reporting relationship.

4.9 Will not seek or accept assignments to the same work unit as family members who also are employees of OVR/OVRB.

4.10 Will not exploit their professional relationships with supervisors, colleagues, students or other employees sexually or otherwise. OVR/OVRB staff, consistent with MDRS policy, will not condone or engage in sexual harassment as defined by the MDRS Policy on Sexual Harassment.

4.11 Will report information concerning an alleged violation of Ethical Guidelines directly to the appropriate member of MDRS Management Staff.

4.12 Will facilitate the professional and career development of staff or students who they supervise.

4.13 Will maintain a work environment which is conducive to productive and professional services.

4.14 Will promote public confidence in OVR/OVRB programs.

### **20.2.5 Section 5 – Confidentiality**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind shall respect the confidentiality of information obtained from clients in the course of their work, consistent with agency policy and procedures. Staff shall gather only required personal information related to the rehabilitation or claims adjudication of the individual and shall access confidential information of clients only on a need-to-know basis.

#### **Rules of Conduct**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind:

5.1 Will inform clients at the onset of the counseling or service relationship that OVR/OVRB staff is committed to maintaining confidentiality of clients. Staff shall advise clients that email is not encrypted, emails may become part of the case record, and emails may be discoverable related to litigation. Staff shall advise clients of available alternatives to email communication.

5.2 Will take responsible professional action to protect a client or other persons if there is a threat to his or her safety or the safety of others; and will take such actions only after careful deliberations and consultation with others, including OVR/OVRB management.

5.3 Will not forward to another person, agency, or potential employer, any confidential information without the written permission of clients or their legal guardians, except as permitted by law or regulation.

5.4 Will inform other agencies and providers cooperatively serving rehabilitation clients of confidentiality policies and procedures.

5.5 Will safeguard the maintenance, storage and disposal of the records, both hard copy and electronic, of clients so that unauthorized persons shall not have access to these records. This includes refraining from:

1. accessing confidential information that is not within the scope of the job assignment,
2. disclosing a username or password credentials used to access confidential data,
3. leaving a secure application open unattended exposing confidential information, and
4. disclosing or altering confidential information without proper authorization.

All staff who must have access to these records will be thoroughly briefed concerning the confidential standards to be observed.

5.6 Will, in the preparation of written and oral reports, present only relevant data and make every effort to avoid undue invasion of privacy.

5.7 Will obtain written permission from clients or their legal guardians prior to taping or otherwise recording client sessions. Even with guardians’ written consent, OVR/OVRB employees shall not record sessions against the expressed wishes of clients.

5.8 Will contact prospective employers of clients only with the explicit permission of the client and then provide only job-relevant information to the prospective employer.

5.9 Will remain especially sensitive to the confidentiality of records of and information about former consumers who have become employees of OVR/OVRB. Staff persons who were previously clients of OVR/OVRB may request of the OVR/OVRB Director that their electronic records be made “confidential,” which substantially minimizes access to such records.

### **20.2.6 Section 6 – Competence**

Staff of the Office of Vocational Rehabilitation and Office of Vocational Rehabilitation for the Blind shall establish and maintain their competencies at such a level that their clients receive the benefit of the highest quality of services OVR/OVRB is capable of offering.

#### **Rules of Conduct**

Staff of the Office of Vocational Rehabilitation and the Office of Vocational Rehabilitation for the Blind:

6.1 Will function within the limits of their defined role, training and technical competency.

6.2 Will claim or imply only professional qualifications actually completed by themselves and correct any known misrepresentations of their qualifications by others; similarly, will accurately represent the qualifications of colleagues.

6.3 Will continuously strive through reading, attending professional meetings, or taking courses of instruction to keep abreast of new developments, concepts and practices that are essential to providing the highest quality of services to clients.

6.4 Will read and apply information disseminated by OVR/OVRB management in formal program directives and administrative instructions, requesting clarification of implications if needed.

6.5 Will adhere to the OVR/OVRB Employee Ethical Guidelines and to professional Codes of Ethics established by professional associations of which they are a member (e.g., Certified Rehabilitation Counselor (CRC), Occupational Therapy Assistant (OTA), National Association of Disability Examiners (NADE), Registry of Interpreters for the Deaf (RID), Certified Professional Counselor (CPC) etc.) and to the Mississippi State Personnel Board Handbook.

## **20.3 Staff Responsibility for Ethical Practices**

All OVR/OVRB staff are responsible to abide by OVR/OVRB Ethical Guidelines and Practices described in this section, as well as MDRS Policies and the [Mississippi State Personnel Board Handbook.](https://www.mspb.ms.gov/sites/mspb/files/MSPB_File/Resources%20for%20HR/Policies/FY%202026%20Policies/FY%202026%20State%20Employee%20Handbook.pdf) Violations may result in disciplinary action in accordance with Personnel Regulations and MDRS policies.

All staff are also responsible for reporting ethics violations which they observe or of which they otherwise have knowledge. It is imperative that all staff in a supervisory position address reports of possible infractions of ethical guidelines and practices in a timely and thorough manner. Failure to do so may have significant consequences for the staff person and supervisor and may result in liability for OVR/OVRB.

### **20.3.1 OVR/OVRB Informal Ethics Consultation**

Questions about whether a specific circumstance or event falls within ethical practice may be referred to the Policy and Procedure Director. The Policy and Procedure Director will help staff think through specific situations and issues and provide an informal means for staff members seeking advice and analysis. Such consultation is not intended as an enforcement vehicle or for reporting violations.

### **20.3.2 Reporting Violations**

Issues related to violations of OVR/OVRB Ethical Guidelines must be reported directly to the regional manager through the line of supervision of the OVR/OVRB staff member.

1. [Code of Professional Ethics for Rehabilitation Counselors of the Commission on Rehabilitation Counselor Certification](https://crccertification.com/wp-content/uploads/2023/04/2023-Code-of-Ethics.pdf) (revised effective 1/2023). [↑](#footnote-ref-2)