

Boundaries in relationships can be difficult. If you question your professional boundaries with a resident or feel uncomfortable with his/her actions or advances toward you, talk to another person you respect and/or bring this matter to the attention of a supervisor before it gets out of control.

Romantic or sexual relationships are inappropriate and illegal when they occur between a resident and any employee, contractor, or volunteer. Residents depend upon employees to provide for their board and care, ensure their safety, address their health care needs, supervise their work and conduct, and act as role models for socially acceptable conduct.

### How to Maintain Appropriate Boundaries:

Most sexual misconduct occurs after professional boundaries have been crossed.

The following behaviors will assist you in maintaining appropriate boundaries:

- ◆ Understand and maintain professional boundaries
- ◆ Maintain professional distance
- ◆ Focus behavior on duties and assignments
- ◆ Do not become overly close with any particular residents
- ◆ Do not share your or other employees, contractors, or volunteers personal information with or around resident
- ◆ Do not accept gifts or favors from residents
- ◆ Be knowledgeable of BJJS policy and procedure, rules of conduct and laws regarding sexual abuse and harassment

Dependent on the findings of any related investigation of an alleged incident, the outcome may result in the loss of you volunteer privileges and/or contract, and criminal charges.



January 2013



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

## Zero Tolerance of Sexual Abuse and/or Harassment for Contracted Employees and Volunteers



**Bureau of Juvenile Justice Services**

## Zero Tolerance Provision

The Bureau of Juvenile Justice Services (BJJS) has zero tolerance of sexual abuse and/or sexual harassment against any resident in its custody. This is consistent with the Federal Prison Rape Elimination Act (PREA), Department of Public Welfare, and BJJS policy.

## 23 PA.C.S. Child Protective Services Law

This chapter applies to the Department; other departments, boards, bureaus and agencies of the Commonwealth or any of its political subdivisions; county children and youth social service agencies and other agencies providing services to children and youth; law enforcement officials; county executive officers; auditors of the Federal government; public and nonpublic schools; intermediate units; area vocational technical schools; independent school contractors; and persons who, in the course of their employment or occupation or in the practice of their profession, come into contact with children.

## Forms of sexual abuse and harassment include but are not limited to:

1. Any behavior of a sexual nature directed toward a resident by contractors or volunteers
2. Inappropriate touching
3. All completed, attempted, threatened or requested sexual acts between contractors or volunteers and residents
4. Sexual comments and conversations with sexually suggestive innuendos or double meanings

## Abuse of Power

Due to the imbalance of power between residents and contractors or volunteers in residential settings; sexual interactions between contractors or volunteers (who have power) and residents (who lack power) are unprofessional, unethical and illegal.

Some residents may become sexually involved with contractors or volunteers in an effort to equalize the imbalance of power. Occasionally an offender may try to use sex to improve his/her standing or circumstances (e.g., better job, avoid disciplinary action, affect a release plan, gain privileges, etc.).

Because of the imbalance of power, there can never be a consensual relationship. The law states "consent" is not a defense to prosecution.

## Responsibility to Report

Contractors or volunteers must report any inappropriate behavior immediately. The presence of illegal and unethical behavior compromises the security and safety of the agency.

If you have general questions, call the Bureau office at (717) 787-9532

To report allegations or suspicions of sexual abuse or sexual harassment contact any BJJS employee, BJJS central office (717) 787-9532, and/or ChildLine (800) 932-0313.

## Red Flags:

The following are behaviors or 'red flags' that may signal you or someone you work with is in danger of engaging in sexual misconduct with a resident:

- ◆ Spending a lot of time with a particular resident
- ◆ Change in appearance of a resident or staff member
- ◆ Deviating from agency policy for the benefit of a particular resident
- ◆ Sharing personal information with a resident
- ◆ Horseplay
- ◆ Overlooking infractions of a particular resident
- ◆ Doing favors for a resident
- ◆ Consistently volunteering for a particular assignment or shift
- ◆ Coming to work early/staying at work late
- ◆ Flirting with a resident
- ◆ Standing too close to a resident
- ◆ Taking up a resident's cause or grievance
- ◆ Getting into conflicts with co-workers over a resident
- ◆ Bringing things into the facility for the residents
- ◆ Doing favors for a resident's family
- ◆ Believing a resident is indispensable

Your personal and professional reputation may be jeopardized because of unprofessional conduct. Your career, and your family can also be negatively impacted or destroyed.