

Human Resource Policy Manual (HRPM)

Volume 4: Employee Relations

ER-4.1

Standards of Conduct

This Chapter applies to non-bargaining unit employees/positions and bargaining unit employees/positions. It does not apply to bargaining unit employees/positions where the applicable collective bargaining agreement contains conflicting provisions or the Agency has not met its bargaining obligation.

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Background information: This policy chapter updates and replaces ER-4.1, Standards of Conduct, dated June 12, 2023. No policy revisions were made except to comply with [Executive Orders \(E.O.\) Ending Radical and Wasteful Government DEI Programs and Preferencing](#) dated January 20, 2025, and [E.O. Initial Rescissions of Harmful Executive Orders and Actions](#) dated January 20, 2025. Revisions made were to:

- (1) Remove reference to E.O. 14035 Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce dated June 25, 2021; and
- (2) Update hyperlinks throughout the policy chapter.

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1. Purpose. This policy chapter establishes responsibilities and conduct standards for FAA employees. This guidance outlines the basic obligation of public service and the principles of ethical conduct as an employee of the United States (U.S.) Government. Although this policy chapter addresses many ethics and conduct requirements, it does not cover all possible situations. This policy chapter provides employees with the guidance necessary to promote Federal service efficiency and maintain accepted ethical principles.

2. Scope. This policy chapter covers all FAA employees. Employees, spouses, and children are subject to additional ethical and financial disclosure requirements **not** covered in this policy chapter (see [Title 5 Code of Federal Regulations \(CFR\), Part 6001, Supplemental Standards of Ethical Conduct for Employees of the Department of Transportation](#)).

3. Authorities. Section 347 of the [Department of Transportation \(DOT\) and Related Agencies Appropriation Act of 1996](#), and [Pub. L. 104-50 \(1995\)](#) exempts the FAA from **most** provisions of Title 5, United States Code (U.S.C.). Use this policy chapter in conjunction with the applicable authorities and the provisions that were not excluded from coverage with the implementation of the [FAA Personnel Management System](#) as follows:

- a. [Title 5 U.S.C., Chapter 73, Suitability, Security and Conduct](#)
- b. [5 CFR, Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch](#)
- c. [5 CFR, Part 6001, Supplemental Standards of Ethical Conduct for Employees of the Department of Transportation](#)
- d. [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#)

4. Definitions.

- a. **Adverse personnel action.** A suspension of more than 14 calendar days, an involuntary reduction in pay or grade (this includes an involuntary reduction in pay band level), a furlough of 30 days or less (but not including placement in a non-pay status due to a lapse of appropriations or enactment by Congress) or removals (see [ER-4.2, Addressing Employee Misconduct](#)).
- b. **Corrective action.** Includes any action necessary to remedy a past violation or prevent a continuing violation of these standards of conduct, including but not limited to restitution, change of assignment, disqualification, divestiture, termination of an activity, waiver, the creation of a diversified or blind trust, or counseling.
- c. **Disciplinary action.** An action issued to an employee based on misconduct. It can range from a letter of reprimand up to a suspension of 14 calendar days or less (see [ER-4.2, Addressing Employee Misconduct](#)).

5. Roles and Responsibilities.

a. Office of the Chief Counsel:

- (1) Responsible for employees' initial and ongoing education on ethical standards of conduct and financial disclosure.
- (2) Works with the Office of Communications to remind employees about the standards of conduct and other ethical topics.

b. Office of Human Resource Management (AHR):

- (1) Provides policy requirements regarding standards of conduct to employees.
- (2) Issues periodic notices (electronically or hard copy) regarding employee responsibilities for maintaining high standards of ethical conduct.
- (3) Advises management in the administration of employee relations programs and provides guidance and counsel through the [AHR Labor and Employee Relations \(LER\), Headquarters, or Regional](#) office.

c. FAA Managers:

- (1) Consult with their [AHR Labor and Employee Relations \(LER\), Headquarters, or Regional](#) office on applying FAA's conduct and discipline program to employees under their supervision.
- (2) Provide positive leadership and serve as role models for their subordinates by demonstrating a commitment and responsibility to their job and compliance with this policy chapter.

- (3) Remind employees, at least annually, of their obligation to review and comply with the standards of conduct addressed in this policy chapter, including, as appropriate, the [Standards of Ethical Conduct for Executive Branch Employees, 5 CFR Part 2635](#), transmitted by [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#).
- (4) Verify that obligated employees complete the mandatory annual training regarding ethical conduct and financial disclosure and file required financial disclosures.
- (5) Treat employees with dignity and respect in a fair and equitable manner. Communicate to their staff that they will not tolerate or condone discrimination or the appearance of discrimination on the part of any employee (refer to [FAA Order 1400.8 \(series\) Federal Aviation Administration \(FAA\) Equal Employment Opportunity \(EEO\) Program](#)).
- (6) Notify (promptly) their [Security Servicing Element \(SSE\)](#) and their servicing [AHR Labor and Employee Relations \(LER\), Headquarters, or Regional](#) office of known or suspected violations of the law (including alleged criminal activity) on the part of employees. Pursuant to FAA Order 1600.1 [FAA Order 1600.1 \(series\) Personnel Security Program](#), report any information raising doubts about an employee's continued eligibility for access to classified information.
- (7) Adhere to, fully support, and comply with all FAA regulations, policies, and programs. Take corrective action or initiate disciplinary or adverse personnel action when employees under their supervision commit offenses violating laws, regulations, policies, or programs.

d. Employees:

- (1) Must adhere to this policy chapter and observe basic on-the-job rules as described in this policy chapter.
- (2) Become familiar with the standards of conduct and their responsibilities for adhering to the requirements outlined in this policy chapter and other governing provisions.

6. Guiding Principles. An employee's conduct on the job impacts the proper and effective accomplishment of official duties and responsibilities. Employees must approach their duties professionally and business-like and maintain such a posture throughout the workday. Employees must remain professional and business-like while in a temporary duty travel status or away from their regularly assigned duty location, such as teleworking, at home or an alternative worksite, or attending training. Conduct and professionalism displayed by an employee may significantly impact the image of Federal service and the FAA.

Employees should conduct themselves off-duty in a manner that will not adversely reflect the agency's ability to discharge its mission. Employees must maintain high standards of honesty, integrity, and impartiality and conduct themselves in a manner that will ensure that their activities do not discredit the Federal Government and the FAA.

7. General Conduct Expectations. All employees are responsible for conducting themselves in a manner that will ensure that their activities do not discredit the Federal Government and the FAA. Employees must observe the following basic on-the-job rules:

- a. Maintain regular attendance, and report for work on time and in a condition that will permit the performance of assigned duties.
- b. Wear appropriate clothing and/or outfitted with necessary tools or equipment;
- c. Report for work free from any effects of alcohol and/or drugs that impair job performance or conduct.

- d.** Maintain physical fitness as needed by job requirements and mental alertness to perform.
- e.** Render full service in the performance of assigned duties. Employees are to keep their manager fully apprised of the status of assignments to ensure an efficient workflow.
- f.** Respond promptly to and fully comply with directions and instructions from their manager or other management officials, either written or unwritten.
- g.** Attend and communicate during meetings as required, either in person or electronically through audio and/or video camera (i.e., camera to display the employee on live video using management-designated software applications and/or technology).
- h.** Exercise courtesy and tact when dealing with fellow workers, managers, contract personnel, and the public. Employees must treat everyone with dignity, respect, and support and assist in creating a productive and hospitable work environment. Employees must avoid disrespectful, abusive, or inappropriate behavior toward other personnel, management officials, and customers.
- i.** Maintain a clean and neat personal appearance during working hours to the maximum practicable extent. Employees must dress appropriately in clothing that communicates professionalism appropriate to the position held. Individual decisions related to work attire should reflect sound and professional judgment.
- j.** Safeguard and appropriately handle all classified and unclassified information that should not generally circulate, as provided in [FAA Order 1600.2 \(series\) Classified National Security Information](#) and [FAA Order 1600.75 \(series\) Protecting Sensitive Unclassified Information](#).
- k.** Conserve, protect, and assure appropriate use of Federal funds, time, property, equipment, materials, information, and personnel (Federal and contract).
- l.** Observe and abide by all laws, rules, regulations, and other authoritative policies and guidance. Employees will familiarize themselves with the Standards of Conduct contained in this policy chapter and the Standards of Ethical Conduct for Executive Branch Employees, 5 CFR Part 2635, transmitted by [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#).
- m.** Report immediately known or suspected violations of law, regulations, or policy through appropriate channels and participate in inquiries. Including, but not limited to:
 - (1)** Personal violations that may impact an employee's position; or
 - (2)** Unsafe air traffic occurrences (i.e., accidents and/or incidents).
- n.** Uphold with integrity the public trust involved in the position to which assigned.
- o.** Observe and abide by prohibitions against violent, threatening, harassing, and/or confrontational behaviors towards others, as well as prohibitions on discrimination and misconduct of a sexual nature.
- p.** Update contact information to include a contact telephone number and emergency contact information as soon as possible. Contact information must include a home address (i.e., not a P.O. box).
- q.** Ensure that personal social media activities comply with the Standards of Conduct requirements, as reflected in Agency supplemental guidance (see [ER-4.1a, Use of Social Media by FAA Employees](#)).

8. Safeguarding and Use of Information, Documents, and Records. Employees must safeguard and appropriately handle all classified and unclassified information as provided in [FAA Order 1600.2 \(series\) Classified National Security Information](#), [FAA Order 1350.14B \(series\) Records Management](#), and [FAA Order 1600.75 \(series\) Protecting Sensitive Unclassified Information](#).

The FAA generally handles four (4) types of information: For Official Use Only (FOUO), Sensitive Security Information (SSI), Sensitive Homeland Security Information (SHSI), and Protected Critical Infrastructure Information (PCII). Such information may not be released unless specifically authorized to do so or as required, on a "need-to-know" basis, in the proper discharge of official duties.

Examples of such information include drug and alcohol testing information (e.g., random testing schedules), EEO matters (e.g., complaints, settlement/resolution agreements, etc.), Personally Identifiable Information (PII), or information covered under the Privacy Act. Employees must not disclose classified information to anyone who does not have the appropriate security clearance and does not have a need to know.

Employees must immediately report any improperly stored material. Employees who are not cleared, do not have a "need to know," and have not signed a nondisclosure agreement must not access classified material. See [Executive Order \(E.O.\) 13526 Classified National Security Information \(December 29, 2009\)](#), referenced on the Standard Form (SF) 312 - Classified Information Nondisclosure Agreement and [FAA Order 1600.2 \(series\) Classified National Security Information](#).

In addition, **employees must not:**

- a. Divulge any official information obtained through, or in connection with, their Government employment to any unauthorized person or organization.
- b. Release any official information before the time prescribed for its authorized issuance.
- c. Use, or permit others to use, any official information for private purposes that is not available to the general public.
- d. Remove official documents or records from files for personal or inappropriate reasons. Falsification, concealment, mutilation, or unauthorized removal of official documents or records, either hard copy or automated, is prohibited by law.
- e. Disclose any PII or information contained in Privacy Act records, except as provided in [FAA Order 1370.121 \(series\) FAA Information Security and Privacy Program & Policy](#), which implements the various laws, regulations, and mandates for privacy within the FAA. Individuals who demonstrate egregious disregard or a pattern of error in safeguarding PII will have their authority to access information or systems removed.
- f. Either intentionally or unintentionally participate in the unauthorized destruction of records, except as provided in Chapter 33 of Title 44 of the United States Code. These procedures allow for records destruction only under the authority of a records disposition schedule approved by the Archivist of the United States.

9. Safeguarding Public Funds. Employees whose duties involve the expenditure of public funds must know of and observe all applicable legal requirements and restrictions. In addition, employees must exercise sound judgment in the expenditure of such funds.

- a. **Unauthorized commitments:** Only contracting officers and other designated employees, acting within the scope of their authority, may enter into contracts or other agreements and expend funds on behalf of the Government. An agreement by an FAA employee not authorized to enter into agreements on behalf of the FAA is an unauthorized commitment. Unauthorized commitments are a violation of fiscal law and statutes.

Employees who enter into unauthorized commitments will be held accountable. Managers must make every effort to prevent unauthorized commitments. Managers must also consider whether discipline is appropriate for an employee who enters into an unauthorized commitment, regardless of whether the procurement action is later ratified (see [Section 3.1.4 Contracting Authority of the Acquisition Management Policy](#) or [Section T3.1.4 Delegations of the FAA Procurement Toolset Guidance](#)).

b. Personal services contracts: An employee cannot award or be involved in the award or administration of personal services contracts unless authorized explicitly per policy and guidelines in the FAA Acquisition Management System. Additionally, employees must avoid all appearances of improper association with contract personnel.

A personal services contract is a contract that, by its expressed terms or as administered, establishes what is equivalent to an employer-employee relationship between the Government and the contractor's personnel. These relationships form when the Government exercises relatively continuous supervision and control over the contractor personnel performing the contract (see [Personal Services Contracts of the Acquisition Management Policy](#) or [Section T3.8.2 Service Contracting of the FAA Procurement Toolset Guidance](#)). Contact the Office of the Chief Counsel if a legal determination is required.

c. Disclosure of proprietary or source selection information: A procurement official or other employees authorized or unauthorized access to proprietary or source selection information regarding procurement(s) must not disclose such information, directly or indirectly, to any person other than a person authorized to receive such information by the Administrator or the contracting officer.

An employee must verify with the contracting officer or the Procurement Legal Division whether the information is proprietary or source selection sensitive. If the information is proprietary or source selection information, they must verify with the contracting officer or the Procurement Legal Division whether they may disclose or receive such information. Refer to [Section 3.1.6, Disclosure of Information of the Acquisition Management Policy](#), or [Section T3.1.6, Nondisclosure of Information of the FAA Procurement Toolset Guidance](#).

10. Use of Federal Equipment, Property, Time, Funds, and Personnel. FAA equipment, property, time, funds/Governmental monies or personnel, including but not limited to computer hardware, software, telecommunication capabilities, cellular communication devices and services, tablets, duplicating services, mail services (internal and external), or chauffeur services are for official FAA business, or officially approved or sponsored activities. The FAA authorizes limited or incidental personal use of its systems, internet, email, or office equipment under [FAA Order 1370.121 \(series\) FAA Information Security and Privacy Program & Policy](#).

a. Telephones: Government telephones, including facility interphones, are provided to conduct official business. Employees are occasionally permitted to make authorized personal calls that are considered necessary in the interest of the Government. For examples of authorized personal calls, see [FAA Order 1830.8 \(series\) Federal Telecommunications System, Calling Cards and General Government Telephone Usage](#).

b. Personal mail: Employees may not have their mail directed to their place of employment, i.e., FAA owned or leased facility (see [FAA Order 1770.11 \(series\) Mail Management Standards and Procedures](#)).

Note: Managers may determine and grant exceptions to this restriction in unusual circumstances, such as when an employee is on travel over 50 percent of the time or for employees in an overseas post of duty.

c. Government mail: The use of U.S. Government-furnished postage, either metered or stamps, for personal benefit or advancement, including application for a Federal position, is prohibited by [18](#)

[U.S.C. § 1719](#). Additionally, using other mailing services for personal use and paid for by the FAA is prohibited. Employee organizations and their members must not use Government or FAA paid mailing services to distribute organizational information or conduct business.

d. Government contractor-issued travel cards: Employees must not use Government contractor-issued travel cards for personal use. Employees must seek reimbursement of legitimate official business expenses within five (5) business days after completion of a trip or period of travel, or at least once every 21 calendar days if the employee is on continuous travel status. Prompt payment of account balances is mandatory to avoid delinquency and embarrassment to the FAA.

Misuse of the travel card includes, but is not limited to (see [DOT Travel Card Management Policy](#)):

- (1) Failure to timely file a travel voucher resulting in delinquency;
- (2) Failure to pay account balance after reimbursement;
- (3) Obtaining travel advances that exceed expected expenditures;
- (4) Personal use, including ATM withdrawals;
- (5) Delinquency over 60 calendar days;
- (6) Inappropriate purchases of wireless cell devices/services;
- (7) Failure to report the loss of the travel card; and
- (8) Failure to safeguard the Government contractor-issued travel card or PIN resulting in unauthorized use.

e. Government purchase cards: All cardholders are responsible for executing proper card transactions within assigned dollar thresholds and under applicable procedures. The cardholder must safeguard the purchase card and card number and retain the appropriate documentation of all transactions. The cardholder and approving officials are responsible for assuring the purchase card is not used for prohibited purchases (see [T3.2.6 Purchase Card Programs of the FAA Procurement Toolset Guidance](#) for in-depth information about the purchase card user).

f. Computers: All internet and electronic media access (using Government-supplied resources) must be consistent with the FAA user's assigned duties and responsibilities (i.e., where required by bona fide duties of the employee's position) or consistent with the official business interests of the FAA. Incidental, non-Government use of the internet and Government-owned computers is permissible as long as such use does not interfere with official business and involves minimal additional expense to the Government.

Incidental, non-Government use of the internet and Government-owned computer use must not violate any Federal law and FAA rules, regulations, or policies. See [5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch, Subpart G](#); [FAA Order 1370.121 \(series\) FAA Information Security and Privacy Program & Policy](#); and [ER-4.1a, Use of Social Media by FAA Employees](#)). All employees are subject to unannounced, periodic monitoring to ensure that they are not engaging in any activity that would discredit the FAA.

Non-permissible use includes, but is not limited to:

- (1) Seeking, transmitting, collecting, or storing defamatory, discriminatory, sexually oriented, or harassing material;
- (2) Spreading chain letters or broadcasting inappropriate/unsolicited messages;

- (3) Concealing or misrepresenting user identity or affiliation;
- (4) Using FAA resources for commercial purposes, financial gain, or in support of outside individuals or entities; or
- (5) Engaging in unauthorized fundraising, lobbying, political activities, etc.

g. Passenger carriers: Employees who willfully use or authorize the use of passenger carriers for other than official business will be suspended for at least one (1) month or longer as warranted or summarily removed from their position and the Federal service, as mandated by [31 U.S.C. § 1349 \(b\)](#). Passenger carriers include motor vehicles, aircraft, boats, ships, or other similar means of transportation owned or leased by the U.S. Government.

The FAA will also hold employees accountable for unintentional misuse of a Government vehicle. In these instances, the employee is subject to discipline under the [Table of Penalties](#) for misuse of Government property (see [FAA Order 4600.27 \(series\) Personal Property Management](#) for references to information regarding the authorized use of a motor vehicle).

11. Observing Safety Regulations. Employees must observe all rules, signs, and instructions relating to personal safety in the workplace (see [FAA Order 3900.19 \(series\) Occupational Safety and Health Program](#)). In addition to avoiding accidents, employees must report potentially unsafe or unhealthful working conditions and/or practices to their manager or the appropriate safety and health official and cooperate fully with Agency safety staff.

Employees must observe the following safety precautions in facilities or locations where agency business occurs or where services/operations take place:

- a. Report an accident involving injury to persons or damage to property/equipment.
- b. Wear protective clothing or use equipment when required (e.g., use a safety climbing device when one is provided).
- c. Refrain from behavior that may endanger the safety of, or cause injury to, personnel or damage property/equipment through negligence, dangerous horseplay, and/or threatening/violent behavior.
- d. Wear a safety/seat belt on official Government business while operating or occupying a motor vehicle. Employees must wear a safety/seat belt while operating a privately-owned vehicle (POV), Government-owned vehicle (GOV), or contract/leased vehicle (see [FAA Order 3900.19 \(series\) Occupational Safety and Health Program](#)); [DOT Order 3902.9 \(series\) Safety Belt Management Program](#)).
- e. Use hands-free devices and/or electronics while operating a Government-owned, leased, rented, or any other vehicle (including a POV) while on official Government business, regardless of whether it is required by state law or in keeping with requirements of the District of Columbia. Abstain from any other unsafe activity while driving on official government business, such as text messaging.
- f. Report unsafe air traffic occurrences (i.e., accidents or incidents) or safety violations through direct involvement or observation.
- g. Evacuate the premises during a fire alarm/drill or other order to vacate a worksite. Abide by the directions of the floor or area warden, safety, security, or management official.

12. Absence and Leave.

a. Attendance at work and approvals to use paid/unpaid leave or paid time off: Unplanned and frequent absences negatively impact the FAA's mission and cause workplace disruption. Under established procedures, employees must schedule and use available paid leave and paid time off.

Employees must obtain prior approval of all absences from duty, including leave without pay (LWOP). Employees are required to contact their manager, generally within one (1) hour of the employee's scheduled start time, to request and explain the need for unscheduled leave. Excessive unplanned absences negatively reflect on the employee's dependability and reliability.

b. Use of sick leave: Employees who become ill or injured while on approved annual leave may substitute sick for annual leave ([see LWS-8.1, Sick Leave for Personal Medical Needs](#)). Employees must provide sufficient information on why sick leave is needed so the manager can determine whether to grant their request.

Failure to provide adequate information will result in denial of the leave. Evidence of frequent unscheduled and/or questionable use of sick leave without medical documentation may result in leave restrictions and/or charges of absence without leave (AWOL) and/or failure to follow leave-requesting procedures. Under the guidelines outlined in the [Human Resource Policy Manual \(HRPM\) Volume 8: Leave and Work Schedules](#), any unapproved absence will receive a charge of AWOL.

c. Tardiness: Tardiness includes delay in reporting to work at the employee's scheduled starting time, returning late from lunch or scheduled break periods, and overdue return to the employee's worksite after leaving the workstation on official business. The FAA prohibits unexplained and unauthorized tardiness. Tardy employees may receive a charge of AWOL, which can occur in (1)-minute increments. AWOL also applies to unexplained and unauthorized early departures from the workplace.

13. Giving Statements and/or Testimony.

a. Every employee must give oral and/or signed statements, as directed, to any manager, Special Agent, or DOT official conducting an investigation, inquiry, or hearing in the agency's interest. Such statements must be complete and truthful.

b. When directed by the Administrator (or their authorized representative), an employee must take an oath or make an affirmation about their testimony or written statement before an agent approved by law to administer oaths. The employee must, if requested, sign their name to the transcript of testimony, affidavit, or written statement that the employee provided. No employee may refuse to testify or provide complete and truthful information regarding matters under investigation or inquiry.

c. All employees must give complete and truthful information in response to requests from Congress, the General Accountability Office, the Office of the Inspector General, the Office of Personnel Management, or other duly authorized investigative bodies regarding matters under their jurisdiction. FAA policy is to cooperate fully with such bodies in the public interest. If the inquiry concerns the employee's first-level manager, employees must notify their middle or senior manager of any such request.

d. Employees will produce any documentation they hold relative to any inquiry or investigation. Employees may not discuss their statements or testimony unless officially authorized.

14. Letters and Petitions to Congress. [18 U.S.C. § 1913](#) prohibits using appropriated funds to influence the consideration of legislation. The right of employees, individually or collectively, to petition Congress or any member or to furnish information to any committee or member of Congress is provided by law. While the FAA desires that employees seek to resolve any problem or grievance within the agency, any employee exercising the right to correspond with a member of Congress must be free from restraint, reprisal, or coercion. Employees may not use Agency facilities, supplies, equipment, personnel, and/or

duty time to contact a Congressional committee or member of Congress orally, in writing, or through electronic communications.

15. Recording or Monitoring Telephone Calls or Covert Recording, Videotaping, Monitoring of Conversations, Meetings, etc.

a. Monitoring telephone calls: Telephone eavesdropping is prohibited. Adding another individual to a line for any purpose requires advance verbal notice. An automatic recording device or a speaker telephone requires an advance verbal warning before use. The use of recording devices, portable or otherwise, on telephones must be for official purposes only. Recording devices are generally limited to areas involving air safety, such as accident investigations, near-collision reporting, etc. (see [FAA Order 1600.24 \(series\) Listening-in to or Recording of Conversations on Telephones or Telecommunications Systems](#)).

b. Unauthorized recordings: Employees, in their official duties, may not use, aid in the use of, or ignore the improper use of recording, videotaping, or monitoring equipment. Recorded conversations are for official purposes only with the knowledge and consent of all those involved in the recording.

Covert/secret taping, either audio or video, of any conversation or meeting occurring at the workplace or conversations off-site that deal with workplace issues and matters of official concern are prohibited. Such meetings include promotion interviews, EEO meetings with a counselor or investigator, meetings between a manager and a subordinate, etc. This prohibition applies regardless of individual state laws, which may permit covert/secret tape recording.

c. Authorized recordings: The prohibitions do not preclude using standard recording equipment used openly in areas involving air safety/official investigations or under circumstances wherein the prior concurrence of all parties is clearly and specifically indicated and understood.

d. Photography: Under [FAA Order 1600.69 \(series\) FAA Facility Security Management Program](#), photography will not be permitted on or within an FAA facility. The Facility Manager must coordinate with the Regional Servicing Security Element (SSE) before allowing permission for photography at any FAA facility.

16. Defamatory or Irresponsible Statements. While the FAA encourages freedom of expression, employees are accountable for the statements they make and the views they express. Employees must refrain from irresponsible, false, disparaging, disrespectful, or defamatory comments that attack the integrity of individuals/organizations or disrupt the orderly conduct of official business.

Employees must refrain from comments urging or encouraging other employees to act or speak irresponsibly, commit unlawful acts in work-related forums, or where the person identifies themselves as an FAA employee (see [ER-4.1a, Use of Social Media by FAA Employees](#)). Remarks made in any forum, whether made in connection with work or by a person identified as an FAA employee, that disrupts the workplace can lead to disciplinary or adverse action.

17. Workplace Violence. The FAA will not tolerate violent, threatening, harassing, and/or confrontational behaviors at the workplace. Threatening behavior may include harassment in the form of intimidation or any oral and/or written remarks or gestures that communicate a direct or indirect threat of physical harm or otherwise frightens or causes an individual concern for their safety. Such inappropriate behavior may include, but is not limited to:

- a.** Pushing;
- b.** Poking;
- c.** Physically crowding;

- d. Stalking;
- e. Fist shaking;
- f. Throwing objects, regardless of the target of the object thrown;
- g. Name-calling, obscene language, gestures; or
- h. Creating a fearful environment or apprehension of harm by using other intimidating or abusive language and/or actions.

Employees and managers are responsible for enforcing the workplace's highest personal safety and welfare standards. Employees must immediately report threats of violence, violent incidents, dangerous horseplay, and irrational or other inappropriate behavior to their managers.

18. Possession of Firearms. While in or on FAA owned or leased facilities, properties, or vehicles (including personal vehicles), the FAA prohibits the possession of firearms, ammunition, or other deadly weapons unless authorized in writing by the FAA Administrator or as outlined in [FAA Order 1600.69 \(series\) FAA Facility Security Management Program](#). Under some circumstances, as outlined in [FAA Order 1600.69 \(series\) FAA Facility Security Management Program](#), employees in the Alaskan Region may possess weapons in connection with their official duties, such as survival and/or emergency firearms in an operational area, or may possess weapons in connection with their occupancy of permanent or transient FAA housing within the Alaskan Region.

19. Drugs and Alcohol.

a. Testing-designated positions: [DOT Order 3910.1 \(series\) Drug and Alcohol-Free Departmental Workplace Program](#) provides information on the drug and alcohol program and specifically identifies those FAA positions designated as a Testing-Designated Position (TDP).

Employees occupying a TDP who inappropriately or illicitly use substances, on or off the job, place their jobs in jeopardy. Actions that jeopardize a TDP include an arrest for drug and/or alcohol-related crimes, such as driving under the influence. Employees must avoid this kind of off-duty behavior since it indicates irresponsibility, lack of judgment, and incompatible conduct while occupying a TDP.

b. Inappropriate or illicit use of illegal or legal substances: The FAA is concerned with the decision of any employee who inappropriately or illicitly uses illegal and legal substances. Illegal substances include but are not limited to cocaine, marijuana, opiates, amphetamines, and phencyclidine.

This prohibition applies regardless of any state (including the District of Columbia) law that may permit the legal use of marijuana. Legal substances include alcohol, prescribed medications, and over-the-counter (OTC) medications. These substances can adversely affect the employee's work performance and/or conduct and harm the employee's credibility.

c. Alcohol: The FAA prohibits alcoholic beverages on any FAA owned or leased property.

d. Standards and requirements for maintaining the National Airspace System: As an employer responsible for aviation safety, the FAA is concerned when an employee's actions could affect the safety or security of the National Airspace System (NAS) and/or the flying public. The confidence of the flying public depends upon absolute trust in the integrity of the air transportation system. Employees must operate without the constraint of drugs or alcohol or the consequences of abuse, such as a hangover. Employees occupying safety- or security-sensitive positions must report an arrest for an alcohol and/or drug-related infraction before their next work shift starts.

Furthermore, safety-sensitive employees must report such an infraction within 48 hours to the Regional Flight Surgeon. Employees occupying safety-sensitive duties must immediately report to their manager any use of prescription and OTC drugs that will interfere with their ability to perform their duties safely. The FAA will not allow an employee who inappropriately or illicitly used substances to perform safety- or security-sensitive assignments until the FAA has determined that such an employee is no longer a public safety or national security risk.

20. Eliminating Discrimination and Creating a Model EEO Program.

a. Non-Discrimination Policy: The DOT and FAA prohibit discrimination against anyone based on race, color, national origin, religion, age (40 and over), sex (including pregnancy and gender identity), genetic information, disability, sexual orientation, or reprisal for participating in protected EEO activity. The FAA has a zero-tolerance policy concerning any form of discrimination. Discriminatory conduct includes discrimination based on veterans' status, violating the Uniformed Services Employment and Reemployment Rights Acts, whistleblower retaliation, and other protected activities under their governing laws and regulations.

- (1) Model EEO Program:** The FAA is committed to providing a work environment free of unlawful discrimination and where the contributions of all employees are supported and encouraged without regard to non-merit factors. To facilitate this effort, the FAA developed the Model EEO Program that directly supports the FAA's Strategic Initiatives.

The precepts outlined in the Model EEO Program (see [FAA Order 1400.8 \(series\) Federal Aviation Administration \(FAA\) Equal Employment Opportunity \(EEO\) Program](#)) apply to all employees. All conduct must be appropriate and supportive of a hospitable and productive work environment. Employees must not engage in discriminatory conduct, express disparaging remarks or stereotypical views, or display and/or distribute offensive material in the workplace.

- (2) Managerial accountability and responsibility:** All management levels must provide positive leadership and support for the Agency's EEO policies and programs and verify that all Agency programs, practices, and activities developed and administered follow pertinent laws and agency policies prohibiting discrimination. Managers must not engage in unlawful discrimination or inappropriate behavior in carrying out their authority to take, direct others to take, recommend, or approve any personnel action concerning employees and applicants.

Managers are responsible for taking proactive steps to create and maintain a hospitable workplace free of discrimination, intimidation, and other offensive behaviors and materials. Managers are accountable if they fail to take appropriate action to correct intimidating and offensive activity in the workplace.

b. Coercion or retaliation: It violates FAA policy to coerce, threaten, retaliate against, or interfere with any person exercising rights prescribed under Title VII of the Civil Rights Act of 1964, as amended. The FAA prohibits retaliation against employees for making a charge of discrimination, giving testimony, assisting, or otherwise participating in a complaint of discrimination. The FAA also prohibits retaliation against employees for filing an EEO complaint or grievance, participating in the grievance process, or addressing their concerns through the Accountability Board (see [FAA Order 1110.125 \(series\) Accountability Board](#)), Administrator's Hotline, Inspector General complaint, etc.

21. Sexual Harassment and Misconduct of a Sexual Nature.

As an employer, the FAA is committed to providing a workplace that is free of sexual harassment or misconduct of a sexual nature. All employees have a right to dignity and respect in their work environment.

a. Sexual harassment: Sexual harassment, under [29 CFR § 1604](#), exists when unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature occurs and:

- (1) Submission to such conduct made either explicitly or implicitly a term of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual as the basis for employment decisions; or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

b. Misconduct of a sexual nature: This is conduct that may not rise to the statutory definition of sexual harassment but is inappropriate for the workplace. For instance, viewing, sharing, forwarding, and/or printing material of a sexual nature from the internet is inappropriate.

c. Misconduct in violation of the agency's policy: All employees are responsible for their behavior and taking appropriate action to eliminate sexual harassment or other misconduct of a sexual nature in the workplace. The FAA established the Accountability Board, which addresses sexual misconduct exhibited in the workplace (see [FAA Order 1110.125 \(series\) Accountability Board](#)).

Examples of actions in violation of the agency's policy include, but are not limited to:

- (1) Sexual teasing, jokes, remarks, or questions;
- (2) Sexually suggestive/offensive looks, leering, ogling, staring at a person's body, or sexually suggestive/offensive gestures or actions;
- (3) Unwelcome letters, cards, email messages, text messages, and/or telephone calls;
- (4) Posting, distributing, showing, viewing, accessing through the internet or other electronic media sources, or other materials of a sexual nature at the worksite;
- (5) Pressure for dates;
- (6) Inappropriate physical touching;
- (7) The promise of a benefit in exchange for sexual favors; or
- (8) Threats or acts of reprisal for refusing to provide sexual favors.

22. Political Activity. All employees have the right to vote as they choose and express their opinions on all political subjects and candidates as authorized in the Hatch Act ([5 U.S.C. § 7321](#)). However, employees are responsible for acquainting themselves with restrictions on partisan political activity and not engaging in prohibited actions. Employees are accountable for political activity by persons other than themselves, including spouses, if they use that person to indirectly accomplish what the employee cannot do directly and openly. An employee's spouse may engage in politics independently on their behalf (see [5 U.S.C. §§ 7321-7326](#) or [5 CFR Part 733, Political Activity – Federal Employees Residing in Designated Localities](#) and [5 CFR Part 734, Political Activities of Federal Employees](#)). Employees are encouraged to contact the [Office of Special Counsel](#) for advice on whether any activity could violate the Hatch Act.

23. Holding Office in State or Local Government. Employees may not run for the nomination or as a local partisan political office candidate except as expressly provided in [5 U.S.C. § 7325](#). Because of the unique interrelationship between the FAA and local/state government, employees must seek the advice of their servicing Regional or Center Counsel and/or an Agency-designated ethics counselor to help determine if a particular office represents a real or apparent conflict of interest. Employees who hold local

or state office must observe both the letter and spirit of the prohibition on active participation in partisan politics.

24. Subversive Activity. Under [5 U.S.C. §§ 7311-7313](#), an employee must not advocate or become a member of any organization which advocates the overthrow of the constitutional form of the U.S. Government or which seeks by force or violence to deny other persons their rights under the U.S. Constitution.

25. Striking. Employees must not engage in, or encourage another Federal employee to engage in, a strike, work stoppage, work slowdown, or sickout involving the Federal Government (see [5 U.S.C. § 7311](#) and [18 U.S.C. § 1918](#)).

26. Canvassing, Soliciting or Selling. Employees must not engage in private activities for personal or non-personal financial gain or any other unauthorized purpose while on Government-owned or leased property, nor use Government time, personnel, or equipment for these purposes.

a. Prohibited activities: This prohibition applies specifically (but is not limited) to such activities as:

- (1) Canvassing, soliciting, or selling, particularly for personal or private monetary gain. This prohibition also applies to such efforts for charities, schools, etc., except when directly linked to the Agency-wide Combined Federal Campaign (CFC) or other Government-wide sanctioned efforts (i.e., Toys-For-Tots and Feds Feed Families) each year.
- (2) Canvassing or soliciting membership, except as authorized in connection with organized, sanctioned employee groups.
- (3) Soliciting contributions from other employees for a gift to anyone in a superior official position violates [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#). This prohibited activity applies on or off Government premises. However, this prohibition does not apply on occasions of special significance (e.g., retirement, marriage) as long as the contribution is voluntary and a nominal amount (see [5 CFR, Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch](#), relating to gifts between employees).

b. Permissible activities: This prohibition does not apply to:

- (1) Activities authorized by the appropriate authority.
- (2) Soliciting contributions for charitable, health, welfare, and similar organizations as authorized by the appropriate authority (e.g., CFC).
- (3) Activities of voluntary groups of Federal employees accepted as social, welfare, or recreational functions of such groups, subject to applicable regulations and Agency policy.
- (4) Spontaneous and voluntary collections of nominal amounts for an employee in connection with significant life activities (e.g., marriage, childbirth, illness, retirement, as an expression of condolence, or other significant life activities).

27. Borrowing and Lending Money. Managers cannot borrow money from subordinates nor have a subordinate act as an endorser or co-signer of a note given as security for a personal loan. Employees cannot lend money to any other employee, management official, or peer for monetary profit or other gains. These prohibitions do not apply to recognized credit unions or employee welfare programs.

28. Accepting Notarial Fees. A notary public employee cannot charge or receive fees for performing notarial acts in connection with their official duties. The prohibition on acceptance of payments does not apply to notarial acts performed unofficially during off-duty hours and off Government-controlled property.

29. Meeting Financial Obligations. All employees must discharge their just financial obligations, including Federal, state, or local taxes. Employees must honor all valid debts, including personal and commercial debts. Other valid debts include Government contractor-issued travel card debt claims based on court judgments, Federally-insured student loans, and tax delinquencies, as well as settling debts or adhering to arrangements for paying debts.

30. Accepting Gifts. The Standards of Ethical Conduct for Employees of the Executive Branch prohibits employees from accepting gifts, favors, gratuities, or any other monetary value, including free transportation, from any person or company subject to FAA regulations that have or is seeking to have contractual relations with the FAA, or that has interests that might be affected by the performance or nonperformance of the duties of the particular employee. For additional information, see [Standards of Ethical Conduct for Executive Branch Employees, Chapter 6.19 of the FAA Financial Manual](#), and [FAA Order 3750.6 \(series\) No-Charge Transportation Provided by State and Local Government Agencies for Official Travel by FAA Employees](#).

31. Outside Employment and Financial Interests. Employees must comply fully with the letter and spirit of the guidance and information relating to outside employment and financial interests contained in [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#) and in [DOT Supplemental Regulations, 5 CFR Part 6001, Supplemental Standards of Ethical Conduct for Employees of the Department of Transportation](#).

32. Reporting Violations. Under [FAA Order 1600.38 \(series\) Employee and Other Internal Security Investigations](#), every employee must report any known or suspected violation of law, regulation, or policy to their manager, their [Security Servicing Element \(SSE\)](#), the Administrator's Hotline, or the Inspector General, etc. Employees must preserve information and evidentiary items related to the suspected violation and release such information as directed.

Failure to report a violation may result in discipline unless the failure to report is justifiable by applicable law. In rare instances, when reporting a violation of sexual harassment, misconduct of a sexual nature, or other discriminatory behavior through the managerial chain is not feasible, the employee must notify the Accountability Board (see [FAA Order 1110.125 \(series\) Accountability Board](#)).

33. Point of Contact. Contact your assigned [Labor and Employee Relations, Headquarters, or Regional Office](#) for more information.

Related Information

Policies

- [DOT Order 3902.9c \(series\) Safety Belt Management Program](#)
- [DOT Order 3910.1 \(series\) Drug and Alcohol-Free Departmental Workplace Program](#)
- [DOT Travel Card Management Policy](#)
- [ER-4.1a, Use of Social Media by FAA Employees](#)
- [ER-4.2, Addressing Employee Misconduct](#)
- [FAA Acquisition Management Policy](#)
- [FAA Order 1110.125 \(series\) Accountability Board](#)
- [FAA Order 1350.14B \(series\) Records Management](#)
- [FAA Order 1370.121 \(series\) FAA Information Security and Privacy Program & Policy](#)
- [FAA Order 1400.8 \(series\) Federal Aviation Administration \(FAA\) Equal Employment Opportunity \(EEO\) Program](#)
- [FAA Order 1600.1 \(series\) Personnel Security Program](#)
- [FAA Order 1600.2 \(series\) Classified National Security Information](#)
- [FAA Order 1600.24 \(series\) Listening-in to or Recording of Conversations on Telephones or Telecommunications Systems](#)
- [FAA Order 1600.38 \(series\) Employee and Other Internal Security Investigations](#)

- [FAA Order 1600.69 \(series\) FAA Facility Security Management Program](#)
- [FAA Order 1600.75 \(series\) Protecting Sensitive Unclassified Information](#)
- [FAA Order 1830.8 \(series\) Federal Telecommunications System, Calling Cards and General Government Telephone Usage](#)
- [FAA Order 3750.6 \(series\) No-Charge Transportation Provided by State and Local Government Agencies for Official Travel by FAA Employees](#)
- [FAA Order 3750.7 \(series\) Ethical Conduct and Financial Disclosure Program](#)
- [FAA Order 3900.19 \(series\) Occupational Safety and Health Program](#)
- [FAA Order 4600.27 \(series\) Personal Property Management](#)
- [FAA Procurement Toolset Guidance](#)
- [LWS-8.1, Sick Leave for Personal Medical Needs](#)

Human Resource Operating Instructions

- [Table of Penalties](#)

Laws and Regulations

- [FAA Personnel Management System](#)
- [Title 5, United States Code Chapter 73, Suitability, Security and Conduct](#)
- [Title 5 Code of Federal Regulations \(CFR\) Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch](#)
- [5 CFR Part 6001, Supplemental Standards of Ethical Conduct for Employees of the Department of Transportation](#)
- [5 CFR Part 733, Political Activity – Federal Employees Residing in Designated Localities](#)
- [5 CFR Part 734, Political Activities of Federal Employees](#)
- [E.O. 13526 Classified National Security Information \(December 29, 2009\)](#)

Websites

- [Office of Special Counsel](#)
- [DOT Supplemental Regulations](#)

Revision History Log

Date	Revision
06/12/2023	<p>This policy chapter updated and replaced ER-4.1, Standards of Conduct, dated June 5, 2017. No policy changes resulted from this revision.</p> <p>Revisions made were to:</p> <ol style="list-style-type: none"> (1) Update hyperlinks throughout the policy chapter; (2) Replace his/her with non-binary gender consistent with Executive Order (E.O.) 14035 Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce dated June 25, 2021; (3) Remove reference to canceled FAA Order 2700.20A Gifts and Bequests; (4) Clarify management discretion regarding employee communication means and methods; (5) Clarify personal contact information requirements; (6) Remove references to FAA Administrator's Policy Statement Non – binary (outdated);

	<p>(7) Remove references to FAA Model Equal Employment Opportunity (EEO) Program;</p> <p>(8) Refer to FAA Order 1400.8 Federal Aviation Administration (FAA) Equal Employment Opportunity (EEO) Program;</p> <p>(9) Remove reference to outdated E.O. 12674, Principles of Ethical Conduct for Government Officers and Employees dated April 12, 1989;</p> <p>(10) Remove reference to outdated E.O. 12731, Principles of Ethical Conduct for Government Officers and Employees dated October 17, 1990; and</p> <p>(11) Make modifications to ensure compliance with current HRPM formatting and plain language requirements</p>
06/05/2017	<p>No policy changes were intended with the re-issuance of this policy chapter. However, some updates were necessary to clarify or remove incorrect information.</p> <p>Revisions made were to:</p> <p>(1) Update, where feasible, the chapter to comply with HRPM formatting and plain language requirements;</p> <p>(2) Provide the list of applicable authorities governing the standards of conduct for FAA employees;</p> <p>(3) Update outdated references and hyperlinks to FAA Orders and the Office of Government Ethics and Office of Personnel Management's guidance for standards of ethical conduct for Federal employees;</p> <p>(4) Remove and replace references to operational deviation and error (see paragraphs 7i and 11f);</p> <p>(5) Add information to establish a nexus between these Standards of Conduct and employee use of social media (see paragraph 7m);</p> <p>(6) Add a clarifying statement regarding an employee's limited or incidental personal use of the agency's systems, internet, email, or office equipment under FAA Order 1370.121 FAA Information Security and Privacy Program & Policy, Appendix 33; and</p> <p>(7) Add a clarifying statement regarding the prohibition of the use of marijuana by Federal employees, regardless of any state law (including the District of Columbia) which may permit the legal use of marijuana (see paragraph 19b).</p>
09/28/2015	Revised to remove reference to the Human Resources Operating Instructions – Drugs and Alcohol in paragraph 15c.
07/01/2008	Amended to enhance, clarify, and/or add various policy statements.
09/29/2006	Revised paragraph 16 from Model Work Environment (MWE) to Model EEO Program, in compliance with EEOC MD-715 requirements; however, the effective date remained August 11, 2000.
08/11/2000	ER-4.1 established.