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4.600 Conduct, Discipline & Grievances (Human Resources)

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October 2011

4.601 Employee Code of Conduct

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"4.601 Employee Code of Conduct" (2011). *4.600 Conduct, Discipline & Grievances (Human Resources)*. 7.
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ANTIOCH UNIVERSITY

Type of Policy <input checked="" type="checkbox"/> University <input type="checkbox"/> Campus <input type="checkbox"/> Department/Unit <input type="checkbox"/> Interim		Employee Code of Conduct Policy 4.601	
Human Resource Policies		Effective date: October 11, 2011	
Policy History:	Approved by:	Resolution #	Date:
Approved	Chancellor	N/A	October 11, 2011
Revised			
Responsible Office:	Responsible Administrator:	Contact information:	Applies to:
Office of Human Resources	Director of University Human Resources	937-769-1375	All Employees

I. Introduction and Purpose

As members of the Antioch University (“AU” or the “university”) community, all employees have a responsibility to treat others with respect and dignity and to adhere to acceptable professional and personal conduct. While we anticipate that the vast majority of employees will routinely behave professionally and appropriately and need no written behavior guidelines, it’s nonetheless necessary that the university express its conduct standards to ensure that all employees have actual notice of the university’s expectations.

A. **Jurisdiction.** The Code shall apply to all employee conduct that occurs on AU premises, at AU sponsored activities, and to off-campus conduct that adversely affects the university community and/or employees’ fitness to perform their professional responsibilities. Employees shall be responsible for their conduct throughout the employment relationship with AU.

B. **Faculty Employees.** Specific conduct and ethics issues related to faculty employees are addressed in the Academic Professional Conduct and Ethics Policy # 5.321.

II. Employee Code of Conduct

Employees are expected to be responsible for their actions and to conduct themselves in accordance with the Policies, Procedures, Rules and Regulations of the university. Violations of the Code shall be grounds for disciplinary action, including possible termination from employment.

The following are examples of prohibited behaviors and activities which may result in disciplinary action under this Code. Commission of or attempts to commit these acts, or condoning, supporting or encouraging others in the commission of these acts may be treated as violations of this Code. Once again, this list is not exhaustive and is intended to give employees general guidance as to the types of conduct that may result in disciplinary action. This list shall be interpreted broadly using common sense and ordinary meaning to fully effectuate the purposes of this Code. AU preserves the right to discipline employees for conduct not listed below. The following are examples of infractions of rules of conduct that shall result in disciplinary action up to and including termination:

A. Physical Violence or Injury to Others

Conduct that physically harms, or might reasonably be regarded as a threat to the physical safety, health, or well-being of another individual or individuals, including, but not limited to the following examples:

1. Assault or battery of another.
2. Threats of violence or intimidation of another.
3. Hazing of any member of the university community. Various states in which the university operates have criminalized hazing. Hazing is typically defined as doing any act or coercing another, including the victim, to do any act or initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.
4. Stalking of another including any pattern of behavior which causes another to reasonably believe that the offender will cause that person physical or mental harm.
5. Acts of sexual offense as defined by law or the Sexual Offense Policy including, but not limited to, rape, sexual assault, sexual imposition, or sexual harassment.
6. Robbery of another.
7. Possession, use or manufacture of any unlawful firearms, dangerous weapon (such as knives, swords and martial arts weapons), destructive or lethal device or hazardous materials on university premises or at university-sponsored events.
8. Reckless or negligent behavior which results in injury to another or damage to AU property.

B. Damage to Property of the University or Others

Interference with the property rights of the university or other members of the university community, including, but not limited to the following examples:

1. Theft, misappropriation or malicious or reckless damage to property of the university or other members of the university community.
2. Trespass, including any forcible or unauthorized entry into or presence in a university building, or any part thereof.
3. Receiving or possessing stolen property of the university or another member of the university community which one knows or has reason to know is stolen.
4. Vandalism, misuse, unauthorized use, destruction, defacing, disfiguring, or malicious or reckless damaging of university property or that of other members of the university community.
5. Embezzling, defrauding or procuring any money, financial aid, goods or services under false pretense or misrepresentation.
6. Unauthorized use of the university name, trademarks or trade names.
7. Unauthorized use or access to or copying of the property of others including, but not limited to computers, keys, written materials in whatever form, including electronically stored data, passwords, emails, notes, journals or academic papers.
8. Intentionally or recklessly misusing or damaging any fire or safety equipment or warning devices.
9. Arson or attempted arson or detonation or ignition of any object or substance including fireworks or flammable or hazardous materials in or surrounding university facilities or at university-sponsored events.

C. Behaviors that Interfere with the University Mission and Community Function

Conduct that interferes with or disrupts the mission or functions of the university or its representatives including, but not limited to the following:

1. Excessive absenteeism or tardiness, or an unacceptable pattern of absences, unauthorized absenteeism or abuse of any leave of absence.
2. Failure to timely report an absence from work.
3. Sleeping on the job or abandonment of work or the workplace during the work day.

4. Unsatisfactory job performance or failure to maintain reasonable standards of performance including incompetence.
5. Neglect of duty and/or lack of due care and/or diligence in the performance of duties.
6. Dishonesty or misrepresentation.
7. Nonfeasance (omission or failure to act when required to do so).
8. Conduct which obstructs or disrupts teaching, learning, administrative functions or freedom of movement in any program, classrooms or other facilities of the university or in connection with any university-sponsored activity or event including any unauthorized occupation of facilities or blockage of access or ingress and egress to such facilities, programs, meetings or events of the university.
9. Conduct that is unreasonably disorderly, lewd, profane, indecent, disrespectful, vulgar, insubordinate, or offensive to others. This prohibition is not intended to limit the free expression of ideas appropriate to an academic environment.
10. Any unauthorized trespass upon university property.
11. Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion, or other emergency on university premises or at university-sponsored activities.

D. Abuses related to University Records and Documents

1. Forgery, alteration, unauthorized use, removal of or misrepresentation on any university documents, records, electronic data, employment records or time sheets.
2. Falsifying time records or other employment records, including the giving of any false information related to actual hours worked, or giving false information on the employee's application for employment, information requested as part of enrollment for employee benefit plans or information required in any application for employee benefits there under.
3. Unauthorized access or copying of records of the university including employment records of any individual or student records of any student.

E. Abuses Related to Breach of Individual Rights and Privacy

1. Defamation, libel or slander of any member of the university community.
2. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on university premises without his knowledge or consent when such recording is likely to cause legal injury or distress.

3. Violation of rules and laws governing the use of copyrighted materials, patented ideas, licenses, intellectual property and proprietary information.
3. Any breach of the confidentiality of Student records protected by FERPA.
4. Any intentional initiation of a false complaint, grievance or disciplinary proceeding against an individual of the university community or intentionally providing perjured, false, misleading or incomplete information as part of any such proceeding.
5. Any breach of the university's policy on unlawful harassment.
6. Any breach of the academic policies on integrity and honesty.

F. Violations of the Criminal Laws, Professional and Ethical Standards, and University Policy

Employees shall not engage in conduct that:

1. Violates any local, state or federal criminal laws or regulations proscribing conduct or establishing offenses which infringe upon the university's obligation to provide a safe and secure learning environment for its students and employees or which may potentially create civil or criminal liability to the university.
2. Violates any professional standards or ethical codes of conduct relevant to the profession in which the employee works, which codes of conduct and ethical standards are specifically incorporated herein by reference. Employees are expected to be familiar with all relevant codes of conduct and ethical standards related to their profession, including any university policy or procedure on clinical competence.
3. Violation of federal laws (e.g., FERPA), state laws, agreements with third parties, or AU policies and principles pertaining to the use, protection, and disclosure of various types of confidential, proprietary, and private information. Such policies apply even after the employee's relationship with the institution ends.
4. Violates any other specific Policy, Procedure or Rule of the university as published in the university's policies manual, which policies are incorporated by reference in this Code, including, but not limited to, the university's policies regarding the following behaviors:
 - a. Sexual Offense
 - b. Employee Code of Ethics
 - c. Drug and alcohol abuse
 - d. Non-smoking Environment
 - e. Academic Integrity
 - f. Technology usage

- g. Unlawful Harassment
- h. Violation of any safety, health, or security rule, policy or procedure
- i. Conflicts of Interest

Employees are expected to treat others with dignity and respect in all their communications and behaviors. They are expected to contribute to a positive working environment. They are encouraged to act as ambassadors of AU and are relied upon to display personal professionalism through honest and open communication.

Each individual employee is expected to know the rules of conduct and to take responsibility for their own behavior.

In addition to this Code, employees are subject to generally accepted standards of conduct for employees and are expected to meet any professional standards of conduct or ethical requirements applicable to their discipline.

Some of the summaries included in this employee code of conduct are intended to serve as a quick reference guide to actual statutes, policies or procedures; employees should consult the actual statute, policy or procedure to fully understand their obligations. To the extent a provision in this procedure is determined to be inconsistent with the terms of a statute, policy, procedure or applicable bargaining agreement, the statute, policy, procedure or bargaining agreement governs. If you have questions regarding application of the Code, contact your supervisor or the Director of the Office of Human Resources (“HR”) for your location.

III. Corrective Actions

The personal conduct and behavior of all employees must conform to standards of performance appropriate for an educational institution. When an employee’s behavior fails to meet these standards, jeopardizes the safety or welfare of students, another employee or employees, the public or interferes with AU, the supervisor in partnership with HR should initiate corrective action as per the Corrective Action and Discipline Procedure Policy # 4.617. Disciplinary action may call for a verbal warning, a written warning, suspension, probation, or termination depending on the severity of the problem and the number of occurrences. Serious infractions may necessitate immediate termination of an employee without progressive discipline, and under certain circumstances may include criminal or civil legal action.

Policy Cross References

Outside Employment	Policy # 4.205
Safety and Security	Policy # 4.501
Workplace Violence	Policy # 4.505
Drug-Free Workplace	Policy # 4.505
Nonsmoking Environment	Policy # 4.507
Employee Code of Ethics	Policy # 4.603
Title IX, Sexual Harassment and Sexual Violence	Policy # 4.607
Corrective Action and Discipline Procedure	Policy # 4.617
Academic Professional Conduct and Ethics	Policy # 5.321