

COLLEGE of CHARLESTON

Policy

Code of Conduct and Disciplinary Actions (article 705.04)

Revised 06/06

A. Code of Conduct

The College expects all employees to conduct themselves in accordance with federal, state, and local laws and regulations and to comply with policies and procedures prescribed by their respective supervisors, department heads and governing officials of the College. The guidelines provided herein are in no way intended to restrict the rights of individuals but rather, are set forth to define and maintain the rights of all and safeguard people, equipment and materials.

B. Disciplinary Actions

Disciplinary action shall be considered as constructive action for the purpose of salvaging basically satisfactory employees, and should, therefore, consist of the least severe action deemed necessary to accomplish this purpose.

Disciplinary action will be administered on a uniform basis. Each offense must be judged on its own seriousness, with consideration given to the employee's past record, as well as the job description of the individual involved.

Supervisors will notify the Personnel Director prior to taking any disciplinary action. In instances where offenses are of such seriousness as to endanger the safety of persons or property or to cause intolerable disruptions to essential work, the Provost/Vice Presidents have the authority to suspend or dismiss an employee immediately. If the employee is suspended, it will be done without pay.

1. Oral Reprimand

The supervisor is responsible for maintaining the proper conduct and discipline of employees under his/her supervision. When some action is necessary, the supervisor may give the employee an oral reprimand. The supervisor will talk privately with the employee and do the following:

- a. Review with the employee exactly what is expected of him/her and why.
- b. Explain to the employee how he/she has not met the requirements and why his/her conduct has been unacceptable.
- c. Allow the employee to give the reasons for his/her actions or failure.
- d. Make a memorandum of this interview and oral reprimand. Ask the employee to initial it, and send a copy to the Personnel Office for inclusion in the employee's Personnel file. Send another copy to the Director of Human Relations.

2. Written Reprimand

- a. The supervisor will review again the points covered in the oral warning that must be corrected and serve a strong warning that a change must be made within the given period of time.
- b. Tell the employee he/she will receive a letter covering the significant points of the discussion.
- c. Review with the Department Head the contents of the letter prior to the delivery of the letter to the employee by the supervisor.
- d. Send a copy to the Personnel office for file and a copy to the Director of Human Relations.

3. Reassignment

Reassignment is the intra-College movement of an employee from one position to another position having the same pay grade.

- a. The Provost/Vice President is authorized to effect reassignments within his/her own areas of responsibility. In order to effect this type of action, there must be a vacant position available.
- b. If a reassignment is recommended by a Provost/Vice President from one area within his/her responsibility to an area under another Provost/Vice President's responsibility, both parties must agree to this reassignment.
- c. If the decision to reassign an employee is approved, the Provost/Vice President, Department Head and supervisor will review with the employee the details of the case prior to delivery of the letter of reassignment.
- d. A copy of the letter will be sent to the Personnel Office and the Director of Human Relations.

4. **Demotion**
 - a. Employees may be demoted to a position classified at a lower grade, when termination is not in the best interest of the College. (This demotion may be with or without a pay reduction.)
 - b. The President has delegated his authority to demote to the Provost/Vice Presidents. This decision will be made after having received a written summary of the case which will be prepared by the supervisor and reviewed with the Department Head and Provost/Vice President.
 - c. After the decision to demote is made, the Provost/Vice President, Department Head and supervisor will review with the employee the details of the case prior to the delivery of the letter of demotion.
 - d. A copy of the letter will be sent to the Personnel office and the Director of Human Resources.

5. **Reduction in Pay**
 - a. The Provost/Vice Presidents are authorized to effect reductions in pay. A written summary of the case will be prepared by the supervisor, reviewed by the Department Head and submitted to the Provost/Vice President prior to his/her taking any action.
 - b. Upon reaching a decision to reduce the pay of the employee, the Provost/Vice President, Department Head and Supervisor will review with the employee the details of the case prior to delivery of the letter of pay reduction.
 - c. A copy of the letter will be sent to the Personnel Office and to the Director of Human Relations.

6. **Suspension**
 - a. Employees may be suspended from work in proportion to the seriousness of the offense. All Suspensions are *without pay*.
 - b. The provost/Vice Presidents are authorized to effect reductions in pay. A written summary of the case will be prepared by the supervisor, reviewed by the Department Head and submitted to the Provost/ Vice President prior to his/her taking any action.
 - c. Upon reaching a decision to suspend the employee, the Provost/Vice President, Department Head and supervisor will review with the employee the details of the case prior to delivery of the letter of suspension.
 - d. A copy of the letter will be sent to the Personnel Office and to the Director of Human Relations.

7. **Dismissal**
 - a. Dismissal is the most serious disciplinary action and should be taken only after a careful review of the case. The President has delegated this authority to the Provost/Vice President.
 - b. A written summary of the case will be prepared by the supervisor, reviewed with the Department Head and the Provost/Vice President.
 - c. After the decision to dismiss is reached, the Provost/Vice President, Department Head and the supervisor will give the employee written notice of the decision to dismiss him/her which includes notification of the right to appeal if he/she is a permanent employee. The written Termination Notice will be signed by the Provost/Vice President. A copy is forwarded to the Director of Personnel and to the Director of Human Relations.

8. **Immediate Suspension or Dismissal**

Occasions may arise where personal offenses are of such seriousness as to endanger the safety of persons or property or to cause intolerable disruptions to essential work. In such instances, an employee will be suspended or dismissed immediately. When such abrupt disciplinary action is deemed to be necessary, the following steps will be taken by the supervisor or the responsible official involved.

 - a. He/She will tell the employee to leave the State property at once and either report back to the supervisor the following day or remain away until further notice. In extreme emergencies, he/she may call upon law enforcement officials to carry out the removal of the offending employee.
 - b. If an immediate dismissal is made, all facts leading to the dismissal must be clearly understood by the supervisor, Department Head and Provost/Vice President. A written summary will be prepared giving the circumstances and facts which led to the dismissal and a copy filed in the employee's personnel folder in the Personnel office, and with the Director of Human Relations.
 - c. After consultation with the Provost/Vice President, official written confirmation of the discharge, suspension or other action taken will be given to the employee including the reason for dismissal.

C. Offenses

The following table lists offenses with disciplinary actions that should normally be taken for the first and subsequent offenses. These actions may be modified where circumstances or regulations warrant change. For example, in cases involving unclassified personnel, the President or his delegated authority may choose to implement the disciplinary measures provided in the **FACULTY/ADMINISTRATION MANUAL**.

OFFENSE	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
Unauthorized Leave	Written Reprimand	5 Day Suspension	Dismissal	
Habitual Tardiness or Failure to Observe Assigned Work Hours	Oral Reprimand	Written Reprimand	5 Day Suspension	Dismissal
Excessive Use of Sick Leave	Written Reprimand	5 Day Suspension	Dismissal	
Excessive Absenteeism (LWOP and Annual Leave)	Oral Reprimand	Written Reprimand	5 Day Suspension	Dismissal
Sexual Harassment	Oral Reprimand to Dismissal			
Leaving Work Station without Authorization	Written Reprimand	5 Day Suspension	Dismissal	Dismissal
Reporting to Work Under the Influence of Liquor or Drugs	5 Day Suspension	Dismissal	Action must be in accord with Employee Assistance Program	
Drinking Alcoholic Beverages or using Drugs on the Job	Dismissal		Action must be in accord with Employee Assistance Program	
Refusal to Accept a Reasonable & Proper Order from an Authorized Supervisor (Insubordination)	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Falsification of Records	5 Day Suspension to Dismissal	Dismissal		
Stealing	Dismissal			
Negligence	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Willful Violation of Written Rules, Regulations or Policies	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Fighting	5 Day Suspension to Dismissal	Dismissal		
Unauthorized use of State Equipment or Property	5 Day Suspension to Dismissal	Dismissal		
Destruction or Misuse of Property or Equipment	5 Day Suspension	10 Day Suspension to Dismissal	Dismissal	
Unauthorized Solicitation or Sales on State Premises	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Unauthorized	Dismissal			

Possession of Firearms on the Job				
Unauthorized Distribution of Written or Printed Material of Any Kind	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Sleeping While on Duty	Written Reprimand	5 Day Suspension to Dismissal	Dismissal	
Horseplay	Oral Reprimand	Written Reprimand	5 Day Suspension	Dismissal
Malicious Use of Profane/Abusive Language to Others	Oral Reprimand	Written Reprimand	5 Day Suspension	Dismissal
Loafing	Oral Reprimand	Written Reprimand	5 Day Suspension	Dismissal
Interference with Other Employees= Work	Oral Reprimand	Written Reprimand	5 Day Suspension to Dismissal	Dismissal
Gambling during working hours	5 Day Suspension to Dismissal	Dismissal		
Working on Personal Jobs during Work Hours	Written Reprimand	Dismissal		
Excessive Use of Telephone for Personal Matters	Oral Reprimand	Written Reprimand	5 Day Suspension to Dismissal	Dismissal
Defacing State Property	Written Reprimand to Dismissal	Dismissal		
Engaging in Unlawful Work Stoppages, Slowdowns or Strikes	Written Reprimand to Dismissal	Dismissal		
Any Accumulation of Three Offenses where the First Offense calls for an Oral or Written Reprimand	5 Day Suspension to Dismissal			
Any Accumulation of Three Offenses where the First or Second Offense calls for Suspension	Dismissal			
Conviction of a Felony	5 Day Suspension to Dismissal	Dismissal		
Guilty of Immoral Conduct	5 Day Suspension to Dismissal	Dismissal		