

POLICY 16
CONDUCT AND DISCIPLINE

University Policy

Employees are expected to perform their work efficiently and effectively and to be mindful of the expectations of the University and of University employees. Supervisors are expected to provide leadership for the groups they supervise, to respect the dignity and rights of employees as individuals, and to set an example by their own conduct, attitude, and work habits. Appropriate disciplinary measures should be applied firmly, consistently, and impartially.

Employees are expected to comply with state and federal law and University policy and procedures regarding nondiscrimination and affirmative action/equal opportunity. Employees are responsible for maintaining a University environment free of unlawful harassment in work and study. Under University policy, every complaint alleging unlawful harassment must receive a response from the immediate supervisor or other individual in accordance with the University and campus grievance procedures for complaints of discrimination.

Employees are responsible for maintaining a drug-free workplace in compliance with applicable state and federal law. The unlawful possession, use, sale, distribution, or manufacture of controlled substances is prohibited on University premises.

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Rule 16.01 - Conflict of Interest

An employee will not engage in activities inside or outside the University that interfere with the individual's required hours of work or ability to fulfill job responsibilities, or activities that might reasonably be considered to be in conflict with the employee's University obligations and responsibilities. An employee will not engage in activities that may influence University business or other decisions in ways that could lead to any form of personal gain or improper advantage for the employee, the employee's family, or others to the University's detriment.

For purposes of this Rule, "family" includes an individual's spouse, ancestors, and descendants, all descendants of the individual's grandparents, and the spouse of any of the foregoing.

Regulations

16.011 Reporting Requirement

An employee is required to report in writing any potential conflict of interest to the unit head for approval before engaging in any activity that is or may appear to be inconsistent with the employee's duties and obligations to the University.

16.012 Questions

An employee's supervisor, unit head, and the head of the campus human resources office will be available to discuss and advise an employee on conflict of interest questions and issues.

16.013 Unit Head Responsibility/Review

Heads of units are responsible for evaluating all potential conflict situations reported or known to them before acting to approve or disapprove them. When approval is withheld, a campus employee is entitled to have the matter reviewed by the Chancellor or by the Chancellor's designee, and a University Administration employee by the President or the President's designee.

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Rule 16.02 - Non-University Financial Obligations

An employee is expected to satisfy all personal financial obligations. While the University will not be placed in the position of acting as a collection agency or of determining the validity of contested debts, it will garnishee wages as required by law.

Regulations

16.021 Procedures

Upon receipt of a written debt complaint from a private creditor involving a current employee, the following procedures will be implemented:

- A. No action will be taken unless the complaint is in written form.
- B. A written complaint will be referred to the campus human resources office.
- C. The campus human resources office will inform the employee of the complaint. The office will inform both the employee and the creditor that the obligation is viewed as an issue between the employee and the creditor and that the University will not take a position or pursue a course of action.
- D. If the creditor persists in efforts to involve the University in the employee's financial affairs, the campus human resources office will respond to the creditor restating that the University views the issues of the validity of the claim and the promptness in satisfying it as a matter between the creditor and the employee.
- E. If creditors continue collection efforts that interfere with University operations, a designee of the human resources office may contact them, ask them to desist, and provide information about appropriate collection channels.

If the individual involved is no longer a University employee, the creditor should be so notified by the campus human resources office.

16.022 Garnishments

Garnishments are effective against the University of Illinois when the creditor has obtained a judgment against the employee in a court of record and the necessary deduction documents are served upon the employer and reviewed and authorized by the campus Legal Counsel.

The office responsible for payroll processing must notify the affected employee on the date the garnishment documentation is received in Payroll for processing.

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Rule 16.03 - Political Activities

Employees are encouraged to exercise their rights and obligations as citizens and to participate in political activities, except those which are prohibited by law or conflict with their University duties. Employees shall not engage in political activities during their scheduled work hours.

The State Universities Civil Service Act (110 ILCS 70/0.01 *et seq.*) imposes certain restrictions regarding political activities of or related to employees covered by this Act. In addition, the State Employees Political Activity Act (5 ILCS 320/0.01 *et seq.*) proscribes certain political activity on the part of any employee engaged under any public merit system and is applicable to all Civil Service employees of the University. Details concerning these prohibitions are contained in the appropriate legislation. Questions concerning prohibited activities should be referred to the campus human resources office. In summary, employees are prohibited from:

- A. Soliciting or accepting a political assessment, subscription, or contribution from any officer or employee.
- B. Soliciting or accepting any contribution in cash or other item of value for political purposes at any officer's or employee's work place.
- C. Taking any personnel action or making any promise or threat of action against any employee because of the giving or the withholding of a political contribution or service.
- D. Participating in any political activity or meeting while scheduled for work.

Regulation

16.031 Questions

The head of the campus human resources office or a designee will be available to discuss and advise any employee with regard to political activities and their impact on University employment practices. Questions also may be directed to the University Office of Administration and Human Resources.

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Rule 16.04 - Employee Conduct in the Workplace

Employees will treat fellow employees with courtesy and respect for their personal dignity and will comply with the University's nondiscrimination policy that forbids harassment of or discrimination against any individual in the full and equal use of the facilities and services of the University.

Supervisors and employees must comply with the University policy to prevent sexual harassment at the work site. Sexual harassment is prohibited under the provisions of state and federal law. Harassment on the basis of sex is a form of sex discrimination.

The University is committed to a nonviolent work environment for all employees and students. Acts of violence and threats of violence and/or use of weapons on University property are not acceptable conduct in the workplace and will not be tolerated.

Employees shall exercise care in the use of personnel, property, and funds entrusted to them. Employees shall not conduct personal business on University time, or use University time, personnel, facilities, or property for other than officially approved activities. Employees are expected to be punctual and to be present at the work site during their normally scheduled work hours.

Regulations

16.041 Employee Orientation

Unit heads and supervisors will insure that all employees receive adequate orientation about care of University resources and acceptable conduct on the job, and will provide the necessary leadership to assure equitable treatment to all employees under their supervision.

16.042 Reporting Violent Acts and Threats of Violence

Employees shall report violent acts and threats of violence to the campus police and to supervisors or other unit officials immediately.

16.043 Removal of Materials from University Property

Employees shall not remove materials from University property for their own use or that of others unless such removal has been approved in writing by supervisors, as authorized by University policies. In certain special circumstances employees may be permitted to take University equipment off campus for the purpose of doing University work. In such cases the employee should have written permission from the unit head or a designee specifying the particular equipment, purpose, and when the equipment is to be

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Rule 16.04 - Employee Conduct in the Workplace

Regulations (Continued)

returned. Appropriate forms for this purpose have been developed by the Office of Business Affairs.

16.044 **Disclosure of Confidential Information Prohibited**

Employees who have access to confidential or private information, such as student and personnel records, legal records, medical records, or budget data, or who have access to private areas, such as student residential areas or faculty offices, shall not disclose information except as authorized by University policy.

16.045 **Use of University Telephones and Postage**

When necessary, employees may make and receive brief personal telephone calls from time to time. Employees may not make long distance calls or receive collect calls at the unit's expense. The campus mail service is to be used for official University business only. The personal use of University postage is prohibited.

16.046 **Dress Guidelines**

Units may establish dress guidelines for employees provided they are reasonably related to work, and units may require staff members to wear visible identification badges.

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Rule 16.05 - Solicitation on University Property

Solicitation of any employee for organizational membership and/or funds or for the sale of items shall be prohibited during working hours except as specifically authorized by the unit head or another appropriate University official.

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Rule 16.06 - Corrective Action and Progressive Discipline

The University will strive to insure consistent and uniform treatment in disciplinary matters for all Civil Service employees. Disciplinary suspensions and lesser forms of corrective action or discipline such as verbal warnings and reprimands, letters of warning, and letters of reprimand are not subject to review by the Merit Board of the State Universities Civil Service System. Effort should be made to apply discipline consistently, impartially, fairly, and firmly. Decisions on discipline shall not be made in an arbitrary or capricious manner but as a result of informed and unbiased investigations. Internal operating procedures will be established that provide for a thorough investigation prior to a predisciplinary meeting with the employee and the employee's representative when formal discipline is anticipated. Notification of a predisciplinary meeting shall be given to the employee at least three (3) work days before the scheduled date of the meeting, unless there is potential threat to University property or human resources or unless otherwise specified in a collective bargaining agreement. In certain circumstances when an offense is of a serious nature, the principles of corrective action and progressive discipline may not be applicable, and immediate suspension or discharge may be warranted.

Regulations

16.061 Progressive Discipline

Officials of the University will follow the principles of corrective action and progressive discipline for offenses as defined by the University. Before taking disciplinary action, consultation will be held with the appropriate staff of the campus human resources office.

16.062 Responsibility for Disciplinary Action

Normally, designated supervisors or unit officials are responsible for administering disciplinary measures. Before taking disciplinary action, supervisors and unit officials shall consult with the appropriate staff of the campus human resources office. Each campus human resources office shall develop procedures for administering the levels of corrective action and progressive discipline.

If disciplinary action for the same reason(s) is taken simultaneously against numbers of employees assigned to several colleges or units, this action shall be taken by an official at an organizational level that covers all employees affected.

16.063 Leave with Pay Pending Appropriate Action

In certain cases, the employee's presence on the job may be detrimental to the employee and/or the operating unit, or constitute a substantial risk of injury to life or property. In such cases, the supervisor or designated unit official shall consult with the unit head and

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Rule 16.06 - Corrective Action and Progressive Discipline

Regulations (Continued)

the employee relations staff of the campus human resources office. If warranted, the employee should be placed on an approved leave of absence with pay, pending determination of appropriate action. An investigation to determine appropriate action normally shall be completed within ten (10) working days after the day the employee is placed on leave. If, as a result of the investigation, it should be determined that disciplinary action is warranted, such action shall be administered in accordance with Policy and Rules

16.064 Involuntary Demotion

An involuntary demotion may be an appropriate action in some disciplinary situations. When it is, the supervisor or unit official and the head of the campus human resources office, in consultation with University Counsel, will jointly prepare a Notice of Demotion to be served to the employee and filed with the Merit Board. A new Notice of Appointment must also be issued. Procedures for involuntary demotion are the same as for discharge (see Rule 16.08).

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Rule 16.07 - Disciplinary Suspension

Disciplinary suspensions shall be in compliance with the procedural requirements of Civil Service System Rule 250.110(d). An employee served a Disciplinary Suspension Notice or a Suspension Pending Discharge without pay shall be placed on special leave and may thereafter make contributions to the State Universities Retirement System and for other benefits as defined in the benefits policy. An employee's pay will be suspended on the date set forth in the suspension notice, and the employee must make contributions for benefits until he or she is returned to pay status, or until:

- A. The employee's status has been finally and completely established after exhaustion of all appeal procedures or after the expiration of the time allowed for such appeals, or
- B. The employee accepts the discharge and requests the University to complete the discharge process.

Regulations

16.071 Procedural Requirements

To assure consistent and uniform treatment in the application of disciplinary suspensions a disciplinary suspension of not more than thirty (30) calendar days may be imposed upon an employee only after the supervisor or designated unit official has discussed the specific reason(s) for the suspension with the employee and has received the approval of the head of the campus human resources office or a designee. Prior to approval and imposition of a suspension, the supervisor or designated unit official must inform the employee that disciplinary measures are being considered, provide the employee an opportunity to respond to the charges at a predisciplinary meeting, and consider the employee's response.

The supervisor or designated official taking the action shall consult with the campus human resources office to prepare and serve on the employee a Disciplinary Suspension Notice which contains the following: (a) the precise time limits of the suspension - number of days inclusive and hours; (b) a specific factual description of the offense - what happened, where, and when; (c) a statement of the rule violated or other reason disciplinary action is in order; (d) the impact of the offense upon the University's work or upon other employees; (e) a listing of prior relevant disciplinary actions; and (f) a warning that further infraction of the rules will lead to a more severe penalty.

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Rule 16.07 - Disciplinary Suspension

Regulations (Continued)

16.072 Distribution of Disciplinary Suspension Notice

The campus human resources office shall distribute copies of the Disciplinary Suspension Notice to the:

- (a) Associate Vice President for Administration and Human Resources
- (b) Employee's personnel file
- (c) University Counsel
- (d) State Universities Civil Service System

Additional copies of any of the completed forms should be distributed to meet local requirements as determined by the campus human resources office.

16.073 Right of Review

An employee's allegation that a disciplinary suspension was unfairly imposed is subject to the University grievance procedure (Rule 17), but is not reviewable by the Civil Service System.

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Rule 16.08 - Discharge

Discharge proceedings shall be in compliance with Civil Service System Rule 250.110(e). If a decision is made to serve an employee with Written Charges for Discharge or, when appropriate, a State Universities Civil Service Suspension Notice Pending Discharge, the units must develop the formal charges in consultation with the head of the campus human resources office or a designee and with Legal Counsel.

The employee shall be charged only with offenses for which there is supporting evidence. The notification shall advise the employee of the substance of the charges in sufficient detail to inform the employee of the nature of the conduct on which the proposed charges are based.

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16.081 Approval of Associate Vice President

The campus human resources office will forward the required notice of discharge to the State Universities Civil Service System Merit Board with the approval of the Associate Vice President for Administration and Human Resources.

16.082 Procedural Requirements of the State Universities Civil Service System

The procedural requirements of the State Universities Civil Service System Merit Board (see Civil Service Rule 250.110(e)) must be met in cases of suspension, involuntary demotion and appointment, or discharge. In completing a Suspension Notice Pending Discharge, a Written Charge for Discharge, or a Notice of Demotion the place of employment should be indicated by the operating unit code and the employer should be shown as the Board of Trustees of the University of Illinois. Signatures on these forms should be consistent with delegations made elsewhere in Policy and Rules.

A. Operating Unit Codes

Operating Unit Codes are:

000 - Urbana-Champaign, not elsewhere covered

001 - Allerton House

003 - Allerton Park

004 - Bondville Road Station - Monticello Road Station

005 - County Extension Offices

006 - Department of Crop Sciences/College of Agricultural Consumer and Environmental Science

007 - Dixon Springs

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Rule 16.08 - Discharge

Regulations (Continued)

- 008 - Vermillion River Observatory
- 009 - Urbana-Champaign, Abroad
- 010 - Northeastern Agronomy Research
- 011 - Prairie Observatory, Oakland
- 050 - Chicago Campuses, not elsewhere covered
- 051 - Medical Center, Abroad
- 052 - DSCC, Springfield
- 053 - DSCC, Chicago
- 054 - Morton Arboretum
- 055 - Horticulture Field Station
- 057 - College of Medicine at Rockford
- 058 - College of Medicine at Peoria
- 154 - Springfield Campus

- B. Distribution of four (4) copies of each completed Suspension Notice Pending Discharge, Written Charges for Discharge (both State Universities Civil Service System forms), and Notice of Demotion with a new Notice of Appointment (a University of Illinois form) must be prepared for appropriate action. One copy must be sent to each of the following:
- (a) Associate Vice President for Administration and Human Resources
 - (b) Employee's personnel file
 - (c) University Counsel
 - (d) State Universities Civil Service System

Additional copies of any of the completed forms should be made to meet local requirements as determined by the campus human resources office.

- C. A designated official from the department taking the action or a designated campus official shall serve the forms upon the employee involved personally or by certified U. S. mail to the employee's last known address.

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Rule 16.09 - Dismissal in Probation

In accordance with Civil Service System Rule 250.110(g), the head of an employing unit may dismiss an employee during the probationary period if the employee fails to demonstrate the ability and qualifications necessary to furnish satisfactory service. The campus human resources office shall be informed promptly. Both the employee and the campus office shall be informed of the reason(s) for dismissal and that the reason is not reviewable. (See also Rule 2.09, Separation.)