



Employee Relations Organizations Meeting

Thursday, May 28th, 2020

9:00am to 11:00am

ZOOM

Representatives Present:

ERC: Amber Carter, April Thompson, Jackie Cotton, Jasmine Bowles, Jean Perdicaris, Joyce Hamilton, Katora Jones, Linda Johnson, Nathan Tipton, Nury Magana, Robyn Taylor, Andrea Briggs, Jackie Fox

ESC: Blake Dingman, Daniel Hutchinson, Dorothea Owens, Kaining Zhi, Kimberlee Norwood, Lisa Hall, Stephanie Breuer, Venus Claxton, Yin Su

Representatives Absent: Lyncie Crawford, Victoria Christian, Daniel Claxton, Vanessa Baker, Felicia Washington

Meeting Agenda

9:00am Welcome Janette Smith – new ERC Representative for Facilities and Mail Services

9:05am Dr. Michael Alston – EEO and AA policy

9:45am Phuong Nguyen – Code of Conduct

10:30am Polling Activity and Discussion

10:55am Announcements

-From Yin Su – ESC – Research

-Here is the updated information for your reference that are related Research Areas for today's ESC meeting.

1. **FDA Guidance** on Conduct of Clinical Trials of Medical Products during the COVID-19 Public Health Emergency, updated on May 14, 2020
2. **Dr. McCullers** said the increase in hospitalizations was the most worrying local trend. It almost delayed the Phase II move and could push back a move to Phase III, if it continues. (Based on *MEMPHIS GOVERNMENT & REGULATIONS NEWS* on May 20, 2020.)
3. **Free Training** Information. The UTHSC Tennessee Clinical and Translational Science Institute (TN-CTSI) and Office of Clinical Research De(OCRD) offer basic research training by Zoom. The course, **Research 101**. Web link for more information. <https://uthsc.edu/research/research-101>
4. **Virus Hunter:** UTHSC's Colleen Jonsson Seeks Answers to Treat Deadly Viruses, Including COVID-19, **Dr. Colleen Jonsson**, Director of the Regional Biocontainment Laboratory (RBL) at UTHSC, one of roughly a dozen federally funded labs authorized to study deadly pathogens, she is leading a team to find antivirals or drugs that might treat COVID-19.

Announcements continued...

-Get to know your Representative page:

-ERO website will have a webpage devoted to the representatives

-photo (selfie style of you in quarantine status)

-area you represent

- Icebreaker answer

Meet the Representatives! Webpage example

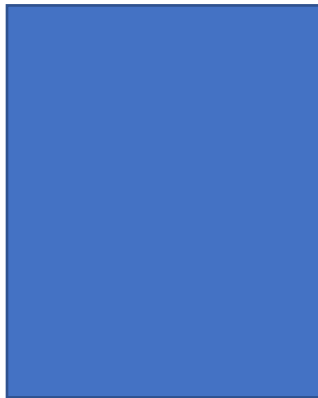
Employee Relations Committee

What skill is more valuable: creativity or logic?



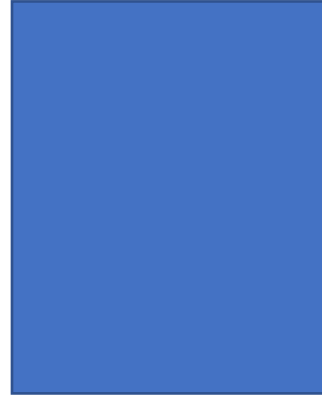
Name
Representing Area

*"Creativity. Because abcd
dbjdfb ddfdf jkdf dfgdfg"*



Name
Representing Area

*"Creativity. Because abcd
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Name
Representing Area

*"Logic. Because abcd
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Equal Employment Opportunity and Affirmative Action

Office of Equity and Diversity

EEO

Eliminates discrimination in HR policies and practices

Provides equal access and opportunity

Legally mandated

AA

Targets outreach to underutilized groups

Helps prevent discrimination

Legally mandated

The Protected Classes

- **Race**-Caucasian, Asian, Black, Pacific Islander, American Indian
- **National Origin**-country of birth, ethnicity, ancestry or culture
- **Color of Skin**-regardless of color
- **Religion**-their beliefs, requires accommodation
- **Age**-age 40 and over
- **Disability**
- **Sex-Gender**





Executive Order 11246

- An **Affirmative Action** program includes those policies, practices, and procedures that the contractor implements to ensure that all qualified applicants and employees are receiving an equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment.

Affirmative Action

Involves a comprehensive program of activities by which an employer takes "proactive" steps to remove barriers and improve the work opportunities of persons belonging to groups that have been historically deprived of such opportunities in regard to personnel actions such as recruitment, hiring, promotion and training.

Affirmative Action Plan

A written document conforming to certain government regulations in which an employer conducts an analysis of its workforce to ascertain whether, the extent to which members of protected groups are underutilized in specific job groups. In those areas where problems are identified, the employer must set goals to eliminate the underutilization.



Seven Job Categories

EEO 1 – Executive/Managerial (Chancellor; Vice Chancellor; Dean; Dir./Mgr.)

EEO 2 – Faculty (Professor; Associate/Assistant; Instructor)

EEO 3 – Non-Instructional Professional (Lawyers; Architects; Librarians; Chemists; Engineers)

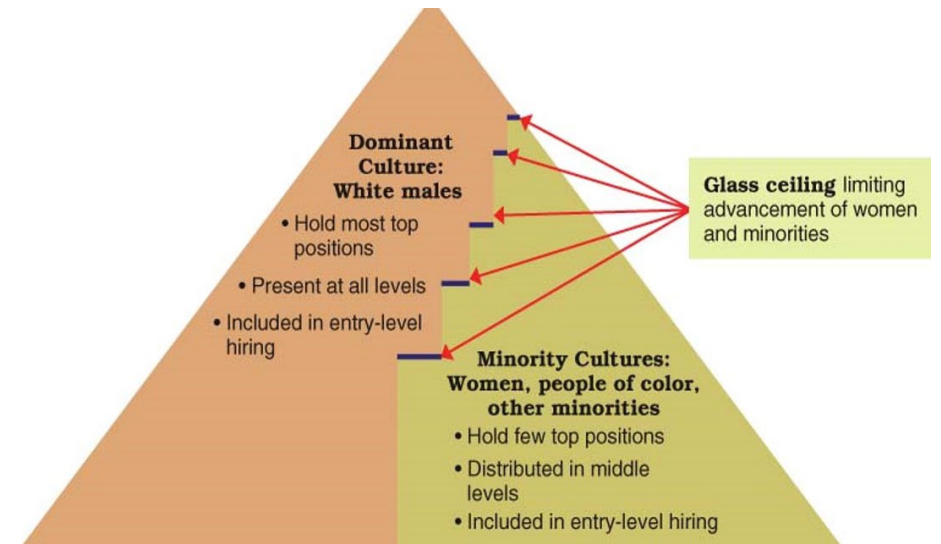
EEO 4 – Clerical (Legal Assistants; Administrative Assistants; Dispatchers)

EEO 5 – Technical/Paraprofessional (Photographers; Dental/Medical Technicians; Drafters)

EEO 6 – Skilled Craft Workers (Carpenters, Mechanics, Electricians, Painters)

EEO 7 – Service/Maintenance (Custodians, Groundskeepers; Helpers)

Organizational Barriers





Affirmative Action Terms



Underutilization

- **Underutilization** occurs when the percentage of employees in a protected group (women or minorities) is less than the availability percentage for that protected group. Underutilization is calculated for employees in each job group.

Adverse Impact

- **Adverse impact may** be found when a selection process for a particular job or group of jobs results in the selection of members of any racial, ethnic, or sex group at a lower rate than members of other groups may. The enforcement agencies will generally regard a selection rate for any group which is less than four-fifths ($4/5$) or eighty percent of the rate for the group with the highest selection rate as constituting evidence of adverse impact.

Disparate Effect or Disparate Impact

Disparate Impact is the result of an employment policy, practice, or procedure that, in practical application, has less favorable consequences for a protected class than for the dominant group.

Disparate Treatment

Employment practices such as the use of tests or educational requirements, fair and neutral on their face, which are applied or administered in an unfair manner.

An example would be using an “old boy network” to hire for jobs even though the positions have been posted.

HR Policy 220 - Equal Employment Opportunity

It is the policy of the University of Tennessee not to discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status, or any other characteristic protected by federal or state law. University policy also prohibits harassment based on such characteristics. This policy extends to recruitment, the interview process, employment, hiring, promotion, demotion, transfer, layoff, termination, compensation, training, benefits, the performance review process and all other terms and conditions of employment.

Thanks!

Any questions?



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER™

It's Not Personal, It's Policy

H. Phuong Nguyen
Employee Relations Counselor
Human Resources

Our Values

Excellence

We strive for efficiency, effectiveness, and meaningful results across our work.

Learning

We seek to improve ourselves and our work continually through reflection and evaluation.

Diversity

We embrace diversity & inclusion as a path to innovation, learning, mutual respect, & excellence.

Integrity

We are honest and transparent, accountable for our efforts, and maintain a consistently high moral standard.

Respect

We respect the ideas, opinions, rights, and dignity of all students, faculty, staff, patients, colleagues, & community partners.

HR0580 – Code of Conduct

The Code of Conduct was developed to provide employees of UT with guidance on how to conduct themselves in an ethical and responsible manner. Employees are expected to familiarize themselves with the Code and to abide by it. Employees who violate the Code will be subject to appropriate disciplinary action.

- 1) General principles and statements of ethical and responsible conduct
- 2) Specific examples of prohibited conduct

HR0580 – Code of Conduct

In carrying out its educational, research, and public service missions, the University relies on the ethical and responsible conduct of all employees. Even the appearance of unethical or irresponsible conduct can be damaging to public's trust in the University. Employees are expected to conduct themselves fairly, honestly, in good faith, and in accordance with the highest ethical and professional standards and to comply with applicable laws, regulations, contractual obligations, and university policies.

HR0580 – Code of Conduct

Specific Examples of Prohibited Conduct

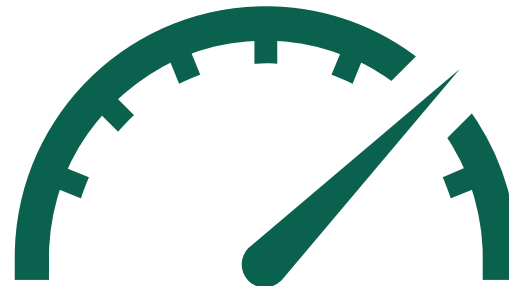
- Respect for Persons
- Respect for Property
- Standards of Safety
- Compliance with Laws and College Policy
- Work Performance
- Standards of Attendance

HR0580 – Code of Conduct

Repeatedly relying on personal situations, traffic, and lack of adequate parking as an excuse for tardiness.

Standards of Attendance:

15. b) Repeated Tardiness. Tardiness is defined as arriving at work past the appointed starting time without supervisory approval.



5:00 a.m. – 2:00 p.m.

7:45 a.m. – 4:45 p.m.



5:00 p.m. – 2:00 a.m.

8:00 a.m. – 5:00 p.m.

HR0580 – Code of Conduct

Employees telling their supervisor that they are taking time off.

Standards of Attendance:

15. a) Unexcused Absence. An absence without proper notification or satisfactory reason is unexcused. An absence of three consecutive days without notification or satisfactory reason is considered a voluntary termination.
- c) Other Absences. Such absences include the failure of employees to report to their workplace at the beginning of the work period, leaving work before the end of the work period, and failure to inform the supervisor when leaving the work area.

Leave should be requested and approved prior to leave being used.

HR0580 – Code of Conduct



Reporting to work under the influence.



Standards of Safety:

12. c) The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in a university vehicle on or off university property; possession or use of alcohol while on duty (except at university-sponsored events and other events an employee is expected to attend as part of his or her duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances.

HR0580 – Code of Conduct

Reporting to work without proper attire.

Work Performance:

10. b) Failure to wear proper uniform or identification in the prescribed manner as may be required by the university.



HR0580 – Code of Conduct

Openly making false and malicious statements about other employees or spreading negative rumours.

Work Performance:

14. e) Instigating or participating in deliberate low productivity and/or interfering with another employee's work.



HR0580 – Code of Conduct

Declarations of uncooperativeness: “I am not going to do it!”

Work Performance:

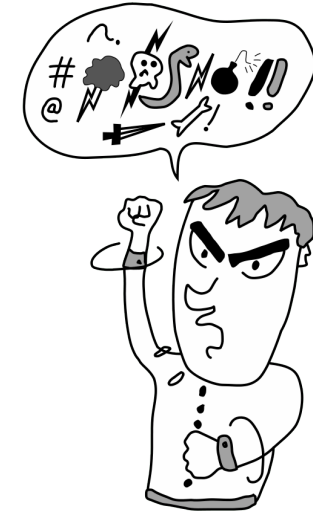
14. a) Insubordination or refusal of an employee to follow instructions or to perform designated work or to comply with directives of authorized university officials.



HR0580 – Code of Conduct



Using profanity loosely within the workplace.



Respect for Persons:

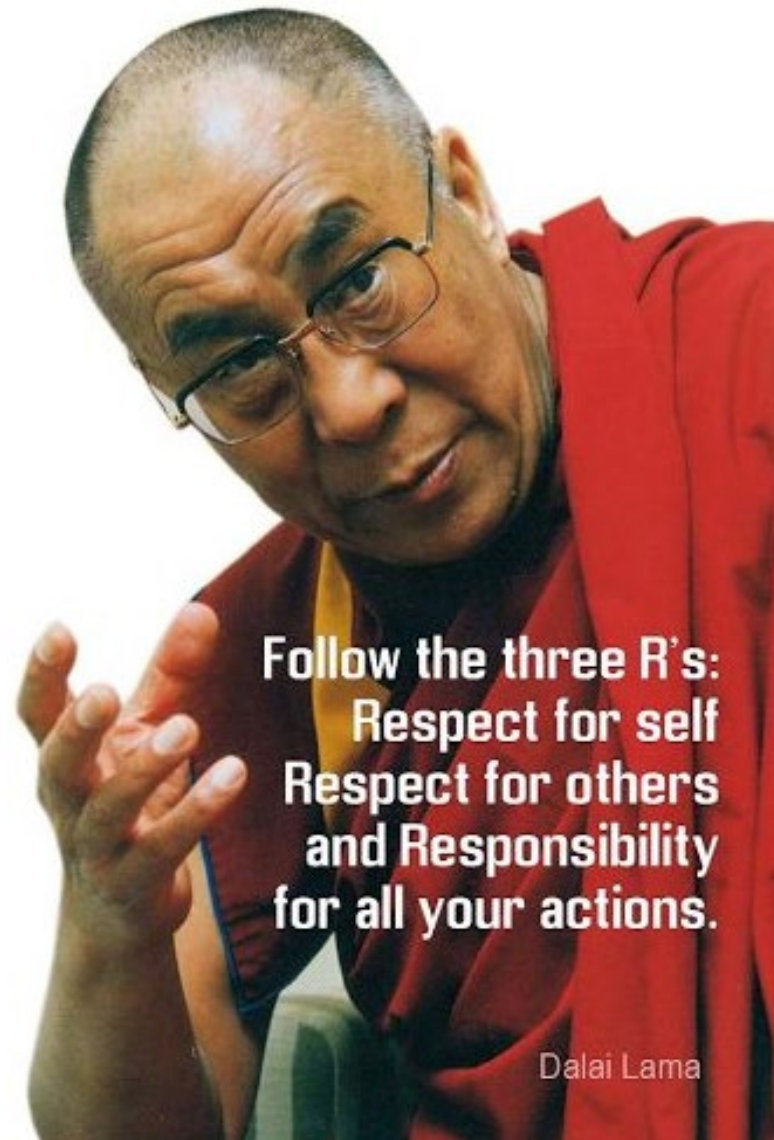
10. a) Disorderly conduct, including, but not limited to, using discriminatory, abusive, or threatening language; fighting, provoking a fight, or attempting bodily harm or injury to another employee or to any other individual or threatening physical action or injury on university property or during university activities; or other conduct that threatens or endangers the health, safety, or well-being of any person.

HR0580 – Code of Conduct

Uncivil and unprofessional attitude and communication.

Respect for Others:

- 3) People are the University of Tennessee's most important resource for accomplishing its teaching, research, and public service missions. Accordingly, employees are expected to be committed to creating an environment that promotes academic freedom, diversity, fair treatment, and respect for others. Employees are expected to treat one another, students, and the general public in an honest and respectful manner.



**Follow the three R's:
Respect for self
Respect for others
and Responsibility
for all your actions.**

Dalai Lama

HR NOTES:

When Employees Don't Meet Expectations

MY EMPLOYEE'S PERFORMANCE OR WORKPLACE CONDUCT IS NOT MEETING EXPECTATIONS. WHAT DO I DO?

1 First, consider these four questions.

Have you given them specific, measurable, and realistic goals and performance expectations in writing?

Have you provided the appropriate coaching, training, resources, and guidance?

Have you provided regular, clear, and timely feedback on where they are not meeting expectations in writing or during performance evaluations?

Have you told your employee that their performance or conduct is unsatisfactory?

2 If you have answered yes to all the above, consider having a formal discussion with your employee about their unsatisfactory work performance or conduct. Be sure to discuss the following.

Explain exactly how their conduct or performance is consistently failing to meet expectations or goals. Follow-up by reflecting this in their evaluation.

Provide specific and detailed examples.

Refer to their position description, documented feedback, goals, and written department rules or policies.

Discuss what can be done differently in order to help your employee meet expectations or correct their behavior.

3 If performance or conduct issues continue to persist and there has been no successful resolution, consult with HR Employee Relations. We can discuss the following options.

Performance Improvement Plan.

Disciplinary action for unsatisfactory performance or conduct, which is typically implemented on a progressive basis. Discipline may include **letter of expectation, written warning, final warning, and termination.**

Mediation is an option as deemed appropriate by Employee Relations if manager(s) and employee(s) experience consistent irresolvable conflict.

ALWAYS CONSULT HR

- Prior to initiating progressive discipline.
- Prior to terminating an employee.
- In all cases of serious or gross misconduct.

We encourage all managers to undergo the same steps for their **Probationary Employees**. It is important to provide written feedback during the 3-month and 6-month performance evaluations.

Human Resources Employee Relations
910 Madison, Suite 764
Memphis, TN 38163
901.448.5600
employee-relations@uthsc.edu
uthsc.edu/hr/employee-relations



THE UNIVERSITY OF
TENNESSEE
HEALTH SCIENCE CENTER

HUMAN RESOURCES
EMPLOYEE RELATIONS

The University of Tennessee is an EEO/AA/Title VI/
Title IX/Section 504/ADA/ADEA/V institution in the
provision of its education and employment programs
and services.

UNIVERSITY RESOURCES

EMPLOYEE RELATIONS ORGANIZATIONS

The Employee Relations Committee (ERC) and the Exempt Staff Council (ESC) consist of elected staff representatives who assist in providing information, support, and advocacy to non-exempt and exempt employees.

To learn more, contact
hr@uthsc.edu

CONNECT WITH EMPLOYEE RESOURCE GROUPS

Women's Resource Group
wrg@uthsc.edu

Young Professionals Group
yppg@uthsc.edu

REPORT OTHER CONCERNS

Fraud, Waste, and Abuse
Office of Audit and Compliance
901.448.1435

Discrimination, Harassment, and Sexual Misconduct
Office of Equity and Diversity
901.448.2112

Criminal Activity
UTHSC Campus Police
901.448.4444 (Emergency)
901.448.5679 (Non-Emergency)

CONFIDENTIAL RESOURCES

Employee Assistance Program
1.855.437.3486

University Health Services
901.448.5630
(8:00 am - 5:00 pm)
901.541.5654
(Emergency after-hours)

EMPLOYEE CODE OF CONDUCT

The code provides employees with guidance on how to conduct themselves in an ethical and responsible manner. It is comprised of 15 general principles and statements. Below are key expectations and examples of prohibited conduct:

ETHICAL AND RESPONSIBLE CONDUCT

- Employees are expected to conduct themselves fairly, honestly, in good faith, and in accordance with the highest ethical and professional standards and to comply with applicable laws, regulations, contractual obligations and University policies.

RESPECT FOR PERSONS

- Disorderly conduct using discriminatory, abusive, or threatening language; fighting, provoking a fight, or attempting bodily harm or injury to another employee or to any other individual or threatening physical action or injury on University property or during University activities; or other conduct that threatens or endangers the health, safety, or well-being of any person.
- Violation of any University policy against **harassment, discrimination, or retaliation.**

STANDARDS OF ATTENDANCE

- **Unexcused Absence.** An absence without proper notification or satisfactory reason is unexcused. And absence of three consecutive days without notification or satisfactory reason is considered a voluntary termination.
- **Repeated Tardiness.** Tardiness is defined as arriving at work past the appointed starting time without supervisory approval.
- **Other Absences.** Such absences include the failure of employees to report to their work place at the beginning of the work period, leaving work before the end of the work period, and failure to inform the supervisor when leaving the work area.

WORK PERFORMANCE

- **Insubordination** or refusal of an employee to follow instructions or to perform designated work or to comply with directives of authorized University officials.
- **Failure to wear proper uniform or identification** in the prescribed manner as may be required by the University.
- **Sleeping on the job.**
- Failure or refusal to maintain or obtain required licensure/certification/registration.
- **Instigating or participating in deliberate low productivity,** and/or interfering with another employee's work.

UNIVERSITY POLICIES

For more information, see the following key policies at uthsc.edu/hr:

HR 0128 Human Resources Development
HR 0160 Termination of Employment
HR 0338 Family and Medical Leave
HR 0380 Sick Leave
HR 0397 Worker's Compensation
HR 0525 Disciplinary Actions
HR 0580 Code of Conduct
HR 0640 Grievances

PROGRESSIVE DISCIPLINE

LETTER OF EXPECTATION

The Letter of Expectation provides an employee notice of a minor non-recurrent violation of policy. This notification is advisory in nature and has no immediate punitive ramifications. The Letter of Expectation may serve, however, as a basis for progressive discipline or may be used to establish a pattern of behavior that warrants more severe discipline. Letters of Expectation are to be filed in the supervisor's employee file.



WRITTEN WARNING

The Written Warning provides an employee notice of significant or repeated minor violations of policy and is punitive in nature. The receipt of a Written Warning becomes a part of the employee's permanent personnel record.



FINAL WRITTEN WARNING

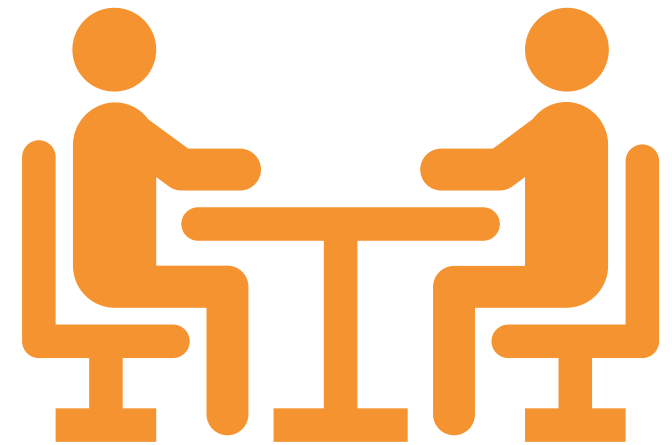
The Final Written Warning addresses severe policy violations or failure to correct consistent behavioral and/or performance deficiencies. The receipt of a Final Written Warning becomes a part of the employee's permanent record. This is the last opportunity for the employee to turn things around.



PRE-TERMINATION MEETING

Once sufficient basis is established to terminate an employee, Human Resources will schedule a meeting with the employee and their supervisor. This is an employee's last opportunity to provide their account regarding the alleged work performance and/or conduct deficiencies.

Note: In the case of gross misconduct, the discipline will escalate to the Pre-Termination Meeting without progressive discipline.



HR0525 – Disciplinary Actions

Gross Misconduct

- ✓ Theft of property
- ✓ Gross insubordination
- ✓ Willful destruction
- ✓ Disorderly conduct
- ✓ Provoking a fight
- ✓ Acts of moral turpitude
- ✓ Fraud
- ✓ Intoxication at work

Employee Assistance Program (EAP)

EAP IT'S FREE! UP TO FIVE (5) FREE SESSIONS

1-855-437-3486 or www.Here4TN.com

Your Employee Assistance Program (EAP) is here to help you, and your family, get the most out of life. We're ready to help with the small questions and the big problems, and everything in-between, such as:

- Managing stress
- Improving relationships at home or work
- Addressing legal and financial concerns
- Getting the most out of your career
- Finding child development, childcare or elder care resources
- Getting past emotional issues or grief
- Addressing depression, anxiety or substance use issues

This service is confidential and our EAP Specialists are available 24/7. They can provide you immediate help or direct you to one of our networks for providers for a no-cost, face-to-face consultation.

For additional assistance, you can contact Gina Curry at 901.448.4876 or gcurry2@uthsc.edu.

Employee Relations Team



Rebekka Freeman

Employee Relations Manager

[901.448.3053](tel:901.448.3053)



Tracy Horton

Employee Relations Counselor-
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[901.448.3396](tel:901.448.3396)



H. Phuong Nguyen

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[901.448-5524](tel:901.448.5524)



Deborah "Debbie" Long

Employee Relations Specialist

[901.448.2784](tel:901.448.2784)



Brandi Martin

Employee Relations Specialist

[901.448.8481](tel:901.448.8481)

Thank You



Questions?



System-wide Policy: HR0580 - Code of Conduct	
Version: 10	Effective Date: 10/01/2017

HR0580 – Code of Conduct

Topics:

Introduction	Responsible use and Protection of Confidential Information
General Principles And Statements Of Ethical And Responsible Conduct	Additional Information
Ethical And Responsible Conduct	Specific Examples of Prohibited Conduct
Responsible Reporting Of Suspected Violations And University Response	Respect for Persons
Respect for Others	Respect for Property
Avoiding Conflicts of Interests	Standards of Safety
Responsible use of University Resources	Compliance with Laws and University Policies
Responsible Conduct in Research	Work Performance
Commitment to Environmental Health and Safety	Standards of Attendance

Objective:

To provide employees of the University of Tennessee with guidance on how to conduct themselves in an ethical and responsible manner.

Policy:

Introduction

The Code of Conduct was developed to supplement and clarify existing university policies, procedures, and rules. It does not replace, limit, or otherwise alter any existing policies. Employees are expected to familiarize themselves with the Code and to abide by it. Employees who violate the Code will be subject to appropriate disciplinary action. Employees should direct specific ethical or compliance questions to their supervisor or

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the university's [director of compliance](#). The university's Code of Conduct is comprised of 1) general principles and statements of ethical and responsible conduct and 2) specific examples of prohibited conduct.

General Principles and Statements of Ethical and Responsible Conduct

1. **Ethical and Responsible Conduct:** In carrying out its educational, research, and public service missions, the university relies on the ethical and responsible conduct of all employees. Even the appearance of unethical or irresponsible conduct can be damaging to the public's trust in the university. Employees are expected to conduct themselves fairly, honestly, in good faith, and in accordance with the highest ethical and professional standards and to comply with applicable laws, regulations, contractual obligations, and university policies.
2. **Responsible Reporting of Suspected Violations and University Response:**
 - a. General Statement of Reporting Obligation.
 - Employees are expected to report any good-faith concern that compliance violations might have occurred, including, but not limited to, the following: violations of state or federal law or regulations; fraud in the operations of government programs; misappropriation of state or federal resources; acts that endanger the health or safety of the public or employees; and mismanagement of programs, funds, and/or abuses of authority.
 - Employees are expected to report compliance concerns at the earliest possible opportunity by contacting their immediate supervisor, the next level of supervision, the appropriate campus/institute compliance officer, [Office of Audit and Compliance](#), or the [Institutional Compliance](#) office.
 - Employees wishing to remain anonymous should report their concerns online or by phone to the UT Compliance Hotline (<http://www.tennessee.edu/hotline> or 1-865-461-2771). Employees may also report concerns anonymously to the [State Comptroller's Fraud Hotline](#) (1-800-232-5454).

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- Employees may also report sexual misconduct, relationship violence, and stalking directly to the campus/institute Title IX coordinator or through any other reporting channels outlined in the campus/institute policies on sexual misconduct, relationship violence, and stalking.
 - Employees are expected to cooperate fully in investigations. As required by [FI0130 - Fraud, Waste and Abuse](#) department heads and other management officials must report suspected fraud, waste, and abuse of university resources, and all allegations of such activity made to them, immediately to the [Office of Audit and Compliance](#).
- b. Mandatory Reporting of Child Abuse and Child Sexual Abuse. Employees must comply with Tennessee laws on mandatory reporting of child abuse and child sexual abuse. Tennessee laws mandate reporting by any person who has knowledge of physical or mental harm to a child if: 1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or 2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether it appears the child has sustained an injury as a result of the abuse. A report of child abuse or child sexual abuse must be made immediately to one of the following authorities:
- The Tennessee Department of Children’s Services (call the Central Intake Child Abuse Hotline at 1-877-542-2873 or 1-877-237-0004).
 - The sheriff of the county where the child resides.
 - The chief law enforcement official of the city where the child resides.
 - A judge having juvenile jurisdiction over the child.

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University police departments are not included in the list of authorities. Reporting to university police, a supervisor, or any other university official or employee does not satisfy an individual's duty to report child abuse or child sexual abuse to one of the authorities listed above.

- c. **Protection from Retaliatory Discharge.** Employees are protected from retaliatory discharge if in good faith they report or attempt to report illegal activities, or if they refuse to participate in illegal activities. For purposes of this policy, illegal activities are violations of the civil or criminal code of this state or the United States or any regulation intended to protect the public health, safety, or welfare. Employees are also protected from other forms of retaliation for reporting or seeking guidance regarding potential or actual criminal conduct.

3. **Respect for Others:** People are the University of Tennessee's most important resource for accomplishing its teaching, research, and public service missions. Accordingly, employees are expected to be committed to creating an environment that promotes academic freedom, diversity, fair treatment, and respect for others. Employees are expected to treat one another, students, and the general public in an honest and respectful manner.

4. **Avoiding Conflicts of Interests:** Objectivity and integrity are essential qualities for employees of a public institution such as the University of Tennessee. For the university to carry out its missions with unquestioned credibility, employees are expected to maintain the highest levels of integrity and objectivity as they perform their duties. Employees are expected to take all reasonable precautions and seek appropriate guidance to ensure that their outside interests do not place them in conflict with carrying out their duties and responsibilities as UT employees. Employees must disclose outside interests in accordance with university policies so that they can be reviewed and managed or eliminated, as appropriate.

5. **Responsible Use of University Resources:** Employees must use university property, funds, technology, time, and other resources for legitimate business

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purposes. Employees must not use university resources for personal gain or to benefit third parties, unless a specific exception has been granted in accordance with policies. Employees are expected to be responsible stewards when using university funds for business travel or entertainment.

6. **Responsible Conduct in Research:** As members of a research university, employees must conduct research with the highest integrity and in compliance with federal, state, and local laws and regulations and university policies. Employees must recognize that failure to do so can result in significant penalties or criminal prosecution for both employees and the university. Employees involved in conducting research are expected to become familiar with applicable laws, regulations, and policies and to consult with their campus/institute research or compliance office whenever they have concerns or questions. Employees are expected to submit accurate, timely, and complete reports and documents related to research.
7. **Commitment to Environmental Health and Safety:** Employees are expected to be committed to protecting the health and safety of all university students, faculty, staff, volunteers, patients, and visitors. To accomplish this, the university provides information and training to employees about health and safety hazards and safeguards. Employees are expected to exercise good health and safety practices and to comply with all health and safety laws and regulations.
8. **Responsible Use and Protection of Confidential Information:** Employees are entrusted with a variety of confidential information about students, faculty, staff, alumni, donors, research sponsors, licensing partners, patients, and others. Employees must access, use, protect, disclose, preserve, and dispose of confidential information in compliance with applicable laws, regulations, contracts, and university policies.
9. **Additional Information:** For university policies, statements, guidelines, and available training related to each of the principles of the Code of Conduct, visit the [Office of Institutional Compliance](#) website.

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Specific Examples of Prohibited Conduct

No Code of Conduct can list all prohibited conduct. The following information, which is not all-inclusive, illustrates some examples of specifically prohibited conduct that may lead to disciplinary action, up to and including, termination, as either unsatisfactory work performance or work-related behavior, or gross misconduct, under university policy.

10. Respect for Persons:

- a. Disorderly conduct, including, but not limited to, using discriminatory, abusive, or threatening language; fighting, provoking a fight, or attempting bodily harm or injury to another employee or to any other individual or threatening physical action or injury on university property or during university activities; or other conduct that threatens or endangers the health, safety, or well-being of any person.
- b. Violation of any university policy or law prohibiting harassment, discrimination, or retaliation against students or employees.

11. Respect for Property:

- a. Willful or negligent damage to university property.
- b. Theft or dishonesty.
- c. Tampering with or wantonly destroying university data, records, or other information; gaining unauthorized access to such information; disclosing confidential information; or otherwise misusing university data or information.
- d. Unauthorized use of university vehicles, mail services, identification and credit cards, telephones, computers, computer equipment, or other university equipment or materials. Computers and computer accounts are provided to employees to assist them in the performance of their jobs. Employees do not have a right to privacy in anything they create, send, or receive on a university computer. The university has the right to monitor, for business reasons, any and all aspects of any university computer system, including employee e-mail.

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- e. Soliciting, collecting money, or circulating petitions on university property at any time without permission of the chief business officer or designee.

12. Standards of Safety:

- a. Possessing or carrying a firearm in violation of [SA0875 - Firearms](#).
- b. Possessing explosives or other dangerous materials on university property or during university activities, unless the employee is authorized either by university policy or law to carry such materials and it is also necessary to do so in the course of employment (police officers, R.O.T.C. personnel, etc.).
- c. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol in a university vehicle on or off university property; possession or use of alcohol while on duty (except at university-sponsored events and other events an employee is expected to attend as part of his or her duties); or reporting to work under the influence of illegal drugs or alcohol or while unlawfully using controlled substances.
- d. Refusal to obey security officials, Emergency Management personnel, or other proper authorities in emergencies.
- e. Failure to comply with safety rules, regulations, or common safety practices.
- f. Failure to report an accident involving on-the-job injury or damage to university property.
- g. Smoking in violation of university policy.

13. Compliance with Laws and University Policies:

- a. Falsification of university records.
- b. Misrepresentation of academic credentials, which is defined by Tennessee law as follows: “A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or

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admission to an institution of higher education in Tennessee, represents, orally or in writing, that such person1) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from an accredited institution of higher education; 2) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from a particular institution of higher education; or 3) has successfully completed the required course work for and has been awarded one or more degrees or diplomas in a particular field or specialty from an accredited institution of higher education.” Misrepresentation of academic credential is a Class A misdemeanor.

- c. Behavior or conduct unacceptable to the university or the community at large.
- d. Violation of federal government security regulations as outlined in contracts.
- e. Any violation of any law in the performance of duties or that affects the ability to perform duties satisfactorily.
- f. Failure to comply with Tennessee laws on mandatory reporting of child abuse and child sexual abuse.
- g. Failure to comply with laws regarding mandatory reporting requirements applicable to health care professionals’ interactions with patients while acting within the scope of university employment.
- h. Failure to comply with the university’s conflict of interests policy.
- i. Fabrication, falsification, plagiarism, or other serious unethical or illegal deviations from accepted practices in proposing, conducting, reporting the results of or reviewing research of service activities, in violation of university policy or state or federal law or regulations.
- j. The access, use, or disclosure of a person’s financial, personal, protected health information, or other confidential information without authorization or legal justification, in violation of university policies or law, e.g., privacy provisions of the Health Insurance Portability and Accountability Act of

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1996 (HIPAA) and the Federal Educational Rights and Privacy Act (FERPA).

- k. Gambling on university property or during university activities.
- l. Flagrant violation or failure to observe traffic or parking regulations.
- m. The University will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant.

14. Work Performance:

- a. Insubordination or refusal of an employee to follow instructions or to perform designated work or to comply with directives of authorized university officials.
- b. Failure to wear proper uniform or identification in the prescribed manner as may be required by the university.
- c. Sleeping on the job.
- d. Failure or refusal to maintain or obtain required licensure, certification, or registration.
- e. Instigating or participating in deliberate low productivity and/or interfering with another employee's work.

15. Standards of Attendance:

- a. Unexcused Absence. An absence without proper notification or satisfactory reason is unexcused. An absence of three consecutive days without notification or satisfactory reason is considered a voluntary termination.
- b. Repeated Tardiness. Tardiness is defined as arriving at work past the appointed starting time without supervisory approval.
- c. Other Absences. Such absences include the failure of employees to report to their work place at the beginning of the work period, leaving work

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before the end of the work period, and failure to inform the supervisor when leaving the work area.

PROCEDURES:

Space Institute:	http://www.utsi.edu/index.php/utsi-procedures/
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Polling Activity and Discussion

Decide and Discuss 1

An employee with over 6 years with the University is a member of your team. They have been stellar in performance up until the past year. They have seemed distant and have been late finishing projects or not completing them at all. The employee has been reassigned some things to support the change in behavior, thinking it may be a temporary issue. Some members of the staff are coming to you complaining that this person is not pulling their own weight and you have to agree.

What part of Code of Conduct is this violating and why?

Code of Conduct – 580

What should you do?

Decide and Discuss 2

You receive an anonymous complaint that an employee is abusing time. The complaint details dates and times that the employee leaves campus. It is substantive (hours/days) and you are not sure if this is true. The employee works in a location that is not within close proximity to your office and you don't see them regularly.

What part of Code of Conduct is this violating and why?

Code of Conduct - 580 (Section 1a, 15c)

What should you do?

Decide and Discuss 3

A Director in your department is selling coupon booklets for her daughter's cheerleading squad. She approaches you to buy one and you do because you are close colleagues. After she leaves your office you hear her going door-to-door to each person selling these booklets.

What part of Code of Conduct is this violating and why?

Code of Conduct - 580 (Section 5, 11e) Fiscal Policy FI0325

What should you do?