

# UNIVERSITY POLICY FOR HUMAN RESOURCE

## Policy No. UPHR-2

### Employee Infractions

#### 1 General:

- 1.1 Scope: Defines infractions which if committed by a classified or nonclassified employee require immediate suspension or dismissal.
- 1.2 Authority: W. Va. Code §18B-1-6
- 1.3 Passage Date: June 25, 2020
- 1.4 Effective Date: Upon passage
- 1.5 Controlling over: Marshall University,
- 1.6 History: The employee infractions listed in this policy were originally included in the Marshall University Classified Staff Handbook. This policy was amended to remove references to the CTC as allowed by resolution of the MUBOG on Oct 15, 2009.

#### 2 Policy:

- 2.1 If a classified or a nonclassified employee of Marshall University (hereinafter the University) commits one or more of the employee infractions set forth below and it is factually determined that he/she committed the infraction(s), he/she will be suspended from employment without pay or terminated from employment.
- 2.2 All terminations from employment of classified or nonclassified employees require the advance approval of the president or designee.
- 2.3 The chief human resources officer is responsible for investigating and fact finding in any allegation of the commission of an employee infraction from among those set forth below. The president shall obtain the recommendation of the chief human resources officer or his/her designee before imposing the penalty of suspension without pay or termination from employment for commission of one or more of the employee infractions as set forth below.
- 2.4 The chief human resources officer is responsible for developing, implementing, and administering sufficient procedure to effectuate the provisions of this policy.
- 2.5 Employee infractions include but are not limited to
  - 2.5.1 Theft of or malicious damage to University property;
  - 2.5.2 Gross insubordination, including willful and flagrant disregard of a legitimate order, threatening or striking a supervisor;
  - 2.5.3 Consumption of alcoholic beverages or improper use of narcotics while on duty and/or appearing to work under the influence of alcohol or improper use of narcotics;
  - 2.5.4 Unauthorized use of firearms, lethal weapons, or explosives on University property;

- 2.5.5 Conviction of a crime which could seriously affect the employee's work performance or the University;
- 2.5.6 Deliberate falsification of employment application or other University records such as time cards, medical records, or any other dishonest acts committed for personal gain or for malicious intent;
- 2.5.7 Unauthorized occupation or use of University facilities;
- 2.5.8 Obstruction or disruption of teaching, research, or administration;
- 2.5.9 Physical abuse of persons on University property or at any University authorized function or event;
- 2.5.10 Setting unauthorized fires;
- 2.5.11 Absence for three consecutive work days without notification or reasonable cause for failure to notify;
- 2.5.12 Stealing from fellow employees, the University, or others on University property;
- 2.5.13 Immoral or indecent conduct on University property toward another employee, supervisor, student, or vendor;
- 2.5.14 Sexual harassment, assault or rape;
- 2.5.15 Fighting or threatening to fight on University premises or on University work time;
- 2.5.16 Clocking in or out for another employee;
- 2.5.17 Deliberate destruction or damage to University property;
- 2.5.18 Causing injury to a student, employee or others by a deliberate act or reckless disregard for the safety of others; and/or
- 2.5.19 Pleading guilty to, being convicted of, or entering a plea of no contest to a drug or alcohol related offense or a crime involving moral turpitude/