

INSTITUTIONAL DIRECTIVE 6-16

November 27, 2006

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF S.C., AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE COLLEGE.

Title: Employee Misconduct and Disciplinary Action

I. Purpose

The purpose of this directive is to provide guidance within Piedmont Technical College for administering disciplinary action for misconduct by its employees (including faculty).

II. Policy

Employees of Piedmont Technical College shall conduct themselves in accordance with all applicable laws, regulations, and State Board for Technical and Comprehensive Education ("State Board"), institutional, and departmental policies, as well as generally accepted and professional work behaviors. Employees who engage in misconduct shall be disciplined whenever such action is considered necessary by College management or other persons in positions of authority. Discipline under this Directive is intended to correct job-related behavior that does not meet the College's standards. In determining what disciplinary action will be taken, the College will consider the totality of the circumstances, including, but not limited to, the nature, severity, and circumstances surrounding the misconduct, prior instances of the same or other misconduct, prior actions taken against the employee, and any other factors determined relevant by the College.

III. Scope

Action taken under this Directive shall, when appropriate, be corrective in nature, and shall address employee misconduct. Deficiencies in performance of job function and/or objectives as defined in State Board Procedure 8-4-100.1 or 8-4.101.1 are performance-based, and shall be addressed under the Employee Performance Management System (EPMS) or the Faculty Performance Management System (FPMS), whichever is applicable.

Office of Responsibility: President

IV. Guidelines

- A. Management must decide the appropriate disciplinary action based on the circumstances in each case.
- B. In accordance with State Board Procedure 8-5-100.1, employee misconduct may be handled by one or more of the following actions, but not necessarily in this or any specified order:
 - 1. Informal counseling
 - 2. Oral warning
 - 3. Written warning
 - 4. Reassignment
 - 5. Demotion
 - 6. Disciplinary suspension
 - 7. Investigatory suspension
 - 8. Termination
- B. The following is not intended as an all-inclusive list of the behavior subject to disciplinary action by the College, but is instead intended to serve as a guide as to the type and nature of behavior that may subject an employee to disciplinary action. Behavior subject to disciplinary action includes, but is not limited to, the following:
 - 1. Habitual tardiness or failure to observe assigned work hours;
 - 2. Unauthorized leave;
 - 3. Abuse of Leave and Excessive Absenteeism. Absences or leave, even when taken under earned or accrued leave for good and sufficient reason, may be considered excessive when such absences are unduly disruptive to the operation or functions of the College or individual Division. The College will not consider the use of any leave or rights given under applicable federal or state laws, such as the Family Medical Leave Act (FMLA) or the Americans with Disabilities Act (ADA), in its determination;
 - 4. Leaving assigned location without authorization;
 - 5. The use, possession, or being under the influence of alcoholic beverages or illegal drugs while on duty;
 - 6. Sleeping or loafing during work hours;
 - 7. Horseplay;
 - 8. Vandalism, defacement, destruction, or misuse of College property or equipment. Misuse also includes unauthorized use or access;
 - 9. Engaging in personal matters during scheduled work hours or while on duty. Such instances may include, but are not limited to, engagement in secondary or dual employment, excessive use of the telephone or other College equipment for personal use, or excessive non-job related conversations which detract from efficient use of time for assigned tasks or duties;
 - 10. Interference with other employees' duties, assignments, or tasks;
 - 11. Failure to maintain satisfactory or harmonious working relationships with employees, supervisors, students, or the public;
 - 12. Knowingly circulating false reports;
 - 13. Use of profane or abusive language to others;
 - 14. Violation of written rules, regulations, or written policies;
 - 15. Insubordination;

16. Theft, including the misappropriation or misuse of College funds or benefits;
17. Falsification or Alteration of records or documents;
18. Sexual Harassment;
19. Workplace violence;
20. Violation of Federal or State Ethics Laws;
21. Violation of State or Federal criminal laws. Action may be taken in response to the arrest, indictment, or conviction of an employee (other than a minor traffic offense).

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