

CODE OF EMPLOYMENT ETHICS AND CONDUCT WAYNE STATE UNIVERSITY OPERATING AND SUPERVISING ENGINEERS

Wayne State University intends to apply the rules constituting this Code reasonably, fairly, and without discrimination.

Violation of these rules may result in disciplinary action, ranging from reprimand to discharge. The specific disciplinary action taken in a case will depend on the circumstances and gravity of the offense when considering the employee's past record.

It is to be understood that these rules are not all inclusive; offenses other than violation of these specific rules may also be subject to disciplinary action. This statement of a Code of Employment Ethics and Conduct does not preclude the establishment by any department of Wayne State University of additional rules for its Employees deemed necessary for the effective operation of that department.

It is understood that no work rule should conflict with the provisions of applicable collective bargaining agreements.

IDENTIFICATION

1. Employees are required to have their Wayne State University photo identification card with them during working hours and while on Wayne State University premises, and to produce proper identification upon request by an appropriate Wayne State University representative.
2. Employees shall use only their own I. D. card and must not permit it to be used by another person.

WORK PLACE CONDUCT

3. Working hours are to be devoted to the performance of Wayne State University work only.
4. Employees shall perform their assigned duties with proper care and good workmanship.
5. Rest breaks and lunch periods will be taken according to operational needs, not to exceed 30 minutes for lunch and one 15 minute break per 8 hour shift, to include travel time.
6. Employees should not visit with personal visitors on Wayne State University premises or time. All visitors should be reported to the supervisor. Under no circumstances shall an employee bring their child(ren) to work.
7. Employees shall speak respectfully of their co-workers, their supervisors and Wayne State University.
8. Employees shall speak courteously to all Wayne State University employees, supervisors, students and visitors. In turn, Employees should receive corresponding courtesy and respect.

SAFETY

9. Employees must be authorized by their supervisor to operate Wayne State University vehicles, machines or equipment.
10. Employees who are required to have a vehicle operator's license to perform their work assignments must have their license with them during working hours. Any loss of their license, whether accidental and temporary, or through revocation, must be reported

immediately to the supervisor. Whenever feasible, the employee will be temporary assigned to duties not requiring a driver's license, in cases when the license can be replaced.

11. Employees must conduct themselves in an orderly, safe, and responsible manner.
12. Employees shall observe safety rules and common safety practices.
13. Employees shall maintain the mechanical rooms and areas of responsibility in a clean, sanitary and safe condition. Supervisors may request Employees to remove from Wayne State University premises any posters, pictures, etc. which are deemed inappropriate.
14. Employees shall wear and use as instructed required safety or health protective equipment.
15. No smoking is permitted in any building owned, leased, or rented by the University except for housing in individual units. The policy also applies to all Matthei Physical Education Center facilities, both indoors and outdoors, as well as University vehicles. No smoking is permitted within a reasonable distance of building entrances or exits. "Reasonable distance" is defined as an area which does not hinder entry/egress into any building and which does not/will not cause/allow second-hand/environmental tobacco smoke to reenter the building. The University recognizes the right individuals have to choose whether they will smoke or not. However, for the health and well-being of all Wayne State University students, faculty, staff, and employees, this University policy has been adopted. The University offers smoking cessation programs for University employees and students. Further information about program schedules and costs may be obtained from Training and Development at 577-2111.

USE OF WAYNE STATE UNIVERSITY EQUIPMENT AND SERVICES

16. Employees shall possess and use Wayne State University keys only as authorized. Wayne State University keys shall not be duplicated without authorization.
17. Wayne State University mail service (and other Wayne State University services) shall not be used for personal mail or business of any sort, including stamped 'outside' mail.
18. Wayne State University telephones shall not be used by Employees for personal business of a non-emergency nature. The use of Wayne State University telephones for personal long-distance or toll calls is prohibited.
19. Employees shall use Wayne State University parking cards and parking lots only as authorized. The use of forged or improperly obtained parking cards or stickers shall be grounds for immediate suspension or dismissal.
20. Wayne State University property shall not be used for personal work and must not be removed from Wayne State University premises, except as specifically authorized by the supervisor.

SOLICITATION OF CONTRIBUTIONS AND DISTRIBUTION OF LITERATURE

21. Employees seeking to solicit or collect contributions for any purpose whatsoever on Wayne State University premises must first obtain authorization from their supervisor.
22. Employees seeking to distribute or post literature or notices of any kind on Wayne State University premises must first obtain authorization from their supervisor, except as otherwise provided in applicable collective bargaining agreements. Posting literature of any kind except on authorized bulletin boards is prohibited.
23. Employees must not remove notices posted on Wayne State University bulletin boards without authorization of their supervisor, except as otherwise provided in applicable collective bargaining agreements.

24. Employees shall not release confidential Wayne State University information without specific authorization. The supervisor should be consulted prior to the release of information.

OFFENSES CONSTITUTING GROUNDS FOR IMMEDIATE DISCHARGE

Any employee who commits any of the following offenses while on Wayne State University premises shall be subject to severe disciplinary action, ranging from disciplinary suspension to immediate discharge. It is to be understood that this list is not all inclusive and there may be other reasons that may be considered just cause for suspension and/or discharge.

1. Fighting, assaulting, attempting to do bodily harm or making threats to any person.
2. Immoral or indecent conduct.
3. Falsification of personnel or other records.
4. Possession of weapons.
5. Theft or unauthorized possession of property. The use of a forged or improperly obtained parking card or sticker shall be treated as theft.
6. Consuming alcoholic beverages or any intoxicant or narcotic on Wayne State University premises or time, or being under the influence of alcoholic beverages, intoxicants, or narcotics while at work. Possession of, or dispensing such agents is also prohibited unless in the performance of regular assigned duties.
7. Insubordination.
8. Negligent or deliberate damage or destruction of property owned or held by Wayne State University or any employee, or the abuse, misuse, or unauthorized use of any such property.
9. Any improper, illegal or contractually barred interference with or restriction of operations.
10. Gambling, that is, the playing of games of chance (cards, dice, etc.) for money or items of monetary value.
11. Falsification of unemployment compensation claims or unlawful receipt of unemployment compensation benefits.
12. Falsification of workers disability compensation claims or the unlawful receipt of Workers' Compensation benefits.
13. Receipt of pay, including illness and disability benefits, under false pretense.
14. Sleeping, dozing, or napping at any time during working hours.

EMPLOYMENT RULES COVERING TIME-KEEPING

A. GENERAL:

1. Employees must observe the time-keeping procedures of their department.
2. Employees must be at their work place and ready to begin work at the start of the workday.
3. To leave the work place during working hours, except in the regular course of job duties, employees must first obtain authorization from supervision. If an employee leaves under conditions of extreme emergency, and cannot contact a supervisor, they must notify the Department of Public Safety and advise them of the circumstances so that they may advise the Facilities Planning and Management Department.
4. Employees who are late should contact their supervisor upon their arrival at work.
5. Any time-keeping error or problem must be reported immediately to the supervisor.
6. No employees shall work overtime without the specific authorization of their supervisor.

B. DISCIPLINE:

1. The following violations will be sufficient grounds for immediate discharge:

- Falsifying your time record.
 - Falsifying the time record of another employee.
 - Permitting someone else to falsify your time record.
 - Altering or changing time records in any way.
 - Claiming pay for work not performed.
- An inadvertent error in time keeping must be promptly reported to the supervisor so that the record(s) may be corrected.

2. The following violations will be sufficient grounds for disciplinary action ranging from reprimand to discharge, depending upon the circumstances:

- Reporting late for work.
- Failure to report time in or out when required to do so.
- Leaving the work place during working hours without permission from supervision except for scheduled rest and lunch breaks, for hygienic purposes, or in the course of your duties.
- Failure to report to the work place ready to work at the prescribed time.
- Failure to remain at the work place until the prescribed time.

WAYNE STATE UNIVERSITY
ATTENDANCE STANDARDS
FOR NON-ACADEMIC EMPLOYEES

1.1 PURPOSE & SCOPE:

The purpose of this policy is to inform employees of attendance expectations. Each Wayne State University employee is an important contributor to the University's mission, and each employees is needed at work to carry out that mission. Absenteeism and tardiness can significantly disrupt service to students and the community, as well as shift work unfairly onto co-workers. This policy covers all non-academic groups except for the following: 1) technicians, 2) student assistants, 3) college work study, 4) graduate assistants.

2.1 TARDINESS:

It is reasonable to expect employees to be promptly at their places of work, and ready to work at the designated times. Tardiness can lead to docking of pay and progressive discipline, as appropriate.

3.1 ABSENTEEISM:

Regular attendance is expected for all employees. Collective bargaining contracts and University policies recognize that employees will occasionally be absent due to illness or injury or other reasons specifically identified in collective bargaining agreements. The University provides an illness bank to cover those days missed. However, an illness bank is intended to be used only in those cases, and it is not an entitlement.

4.1 NOTIFYING YOUR SUPERVISOR OF ABSENCE:

Employees are required to call in to their supervisor or the supervisor's designee as soon as possible when the employee is going to be absent. Situations where such notice would be

impossible are very rare and will be closely scrutinized. It is **not** acceptable to leave such messages on answering machines or voice mail, since instructions may need to be provided regarding verification issues.

5.1 MEDICAL VERIFICATION/DISCIPLINARY REVIEW:

Employees who have excessive absences may be subject to ongoing medical verification. Placing employees on medical verification and/or initiating disciplinary action, can be expected after the sixth occasion of unscheduled absence in a rolling year. Or, such action may be initiated on a case-by-case basis upon exceeding 45 hours of absence involving four or more occasions of absence [48 hours for those whose scheduled work day is eight hours, and pro-rated for fractional time].

In reviewing the appropriateness of medical verification or disciplinary action for violations of the hours cap, supervisors shall consider such factors as the prior twelve month's attendance history, the past disciplinary history for attendance and unusual patterns of sick leave such as those set forth in section 5.7.

The purpose of the review is to avoid premature discipline of employees who have been conscientious about attendance in the past, but encounter a rare, bad year of attendance difficulties beyond their control.

However, the University retains the right to require medical verification and/or to counsel or assess discipline, earlier than or after the sixth occasion, depending on the circumstances (see, e.g. sec. 5.7) an occasion is defined as a continuous period of absence of at least a half-day in length. Before initiating disciplinary action with respect to a member of a collective bargaining unit, a supervisor should consult Labor Relations. Supervisors should consult Human Resources before initiating actions against non-represented employees.

5.2 Employees placed on medical verification must provide a physician's statement, or that of another appropriate health professional as defined in FMLA regulations, to the supervisor or other designated person for occasions of absence during the period when verification is required. Medical verification is also required when employees seek to use, or the University determines it is appropriate to use, the timesheet earnings code which would make their absence covered by FMLA, and therefore not subject to discipline. The failure to provide medical verification or adequately supplement an inadequate verification, after being required to do so, could result in loss of pay, and/or disciplinary action, and/or required use of a non-FMLA code. Any dispute over application of this policy for represented employees will be resolved by Labor Relations in consultation with Employment Services; and, by the Director of Employment Services, or his designee, for non-represented employees.

5.3 Employees required to submit medical verification for illness covered under FMLA regulations shall have a period of fifteen (15) calendar days to provide it. The fifteen (15) day response period exists, unless per FMLA regulation 825.305 (b), "it is not practicable under the particular circumstances despite the employee's diligent good faith effort." During the period in which medical verification should be provided, the period of absence will be treated as not covered under FMLA. However, disciplinary action will be postponed for this period of at least 15 calendar days.

5.4 A form has been developed by the U.S. Department of Labor to medically verify absences under the FMLA. Use of that form is encouraged. It will be available from Employment Services, and a copy is attached for duplication and use.

5.5 Employees who suffer from chronic health conditions, as defined in FMLA regulations at 825.114 (e), or who have conditions that may cause "episodic incapacity," are not subject to ongoing medical verification in order to utilize the FMLA timesheet earnings code. This exemption from ongoing verification is to be cleared initially through Employment Services, which will confirm the existence of the condition and that it is covered by FMLA.

5.6 If any employee is ill or medically incapacitated for reasons which are regarded as confidential or embarrassing, the employee may submit the medical verification in a sealed envelope (marked 'Confidential') directly to the Director of Employment Services. Supervisors are not to retain medical records at the department level, but should send them for filing to Employment Services.

5.7 Employees who show unusual attendance may also be subject to medical verification and discipline. Unusual attendance includes, but is not limited to:

- 1) A pattern of missing certain days of the week;
- 2) Calling in sick on day(s) for which a time-off request was previously denied;
- 3) Taking sick days adjacent to holidays, vacation, personal days, or other time off.

6.1 DISCIPLINE FOR TARDINESS OR ABSENCE:

Employees who are absent excessively are subjected to discipline. After appropriate counseling and discipline, an employee with excessive absences may be subject to termination. Termination is a very serious matter for both the University and the employee; consequently, terminations for tardiness or absence will be taken, as appropriate, with employees who violate attendance standards, or otherwise behave unacceptably with respect to attendance. The falsification of medical verifications or time reporting controls, such as timesheets, sign-in sheets and time clocks, is regarded as major misconduct and may subject violators to discharge. Counseling by supervisors or management is strongly encouraged prior to formal discipline for minor offenses. Disciplinary action for poor attendance should be well documented.

6.2 The administration of discipline and other aspects of this policy shall be in compliance with Family and Medical Leave Act (FMLA) requirements.

Revised 10/10/98 to include newer Wayne State University absenteeism and tardiness and also the newer Wayne State University campus no smoking policy.
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