

Employee Conduct

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Purpose

Whenever people are required to work together for any purpose, they need certain guidelines to govern their personal conduct and relations. The Associated Students, Incorporated considers adherence to work rules to be an important responsibility. They are a necessary part of managing our business so that employees can be treated fairly, and work safely and effectively. The purpose of ASI's Policy on Employee Conduct is to:

- Encourage positive employee/employer relations by providing for the fair and consistent treatment of staff
- Ensure that all employees are aware of their obligations and the consequence of disregarding those obligations
- Ensure that employee misconduct is dealt with in a timely and appropriate manner

This policy is not intended to cover all aspects of employee conduct. In the absence of a written policy, the employee should ask his/her supervisor for guidance. Common sense and good taste should be used when other guidance is unavailable or until a formal decision can be made.

Policy Statement

The Associated Students, Incorporated believes that the conduct of its staff is extremely important in establishing a positive image on- and off- campus and for setting a positive example for students. It is the policy of the Associated Students, Incorporated that all employees conduct themselves in a professional, courteous and civil manner at all times and in all interactions. These rules apply to all employees, regardless of funding source, and to all volunteers.

Who Should Know This Policy

- | | | |
|--|--|---|
| <input type="checkbox"/> Budget Area Administrators | <input checked="" type="checkbox"/> Elected/Appointed Officers | <input type="checkbox"/> Grant Recipients |
| <input checked="" type="checkbox"/> Management Personnel | <input type="checkbox"/> Program Advisors | <input checked="" type="checkbox"/> Staff |
| <input checked="" type="checkbox"/> Supervisors | <input checked="" type="checkbox"/> Volunteers | |

Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Act of violence	An intentional act that causes bodily harm, however slight to another person or damage to the property of another
ASI premises	All real property leased to or owned by Associated Students, Incorporated. This currently includes the University Student Union, Soroptimist House, Isabel Patterson Child Development Center, and the Recycling Center.

Term	Definition
Workplace Aggression	Repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment
Customer service areas	Any physical location at which customer business is routinely transacted and publicly visible. Examples include the Business Office Service Counter, the Photo/Ticket Booth, and the Games Center desk,
Dating	Entering into a consensual sexual or romantic relationships with another employee
Employee	A person who is hired by another person or business for a wage or fixed payment in exchange for personal services and who does not provide the services as part of an independent business; Any individual employed by an employer.
Employee counseling	Formal action taken against an employee for misconduct or incompetence when other efforts (i.e., evaluation, conference) fail or when a single incident is so severe as to warrant it
Insubordination	1. Willful disregard of a supervisor's instructions 2. An act of disobedience to proper authority, especially a refusal to obey an order that a superior is authorized to give.
Intimate Contact	Cuddling, kissing, fondling, touching or other physical contact of a romantic or sexual nature
Intimidation	An intentional act toward another person, causing the other person to reasonably fear for his/her safety or the safety of others.
Minors	Persons under the age of eighteen
Personal Exchanges	Intimate behavior including public displays of intimate contact, sexual innuendo, suggestive comments or gestures, and sexually oriented joking
Reasonable Person	A standard used to denote a hypothetical person who exercises "those ordinary qualities of attention, knowledge, intelligence, and judgment which society requires of its members for the protection of their own interest and the interest of others." The phrase does not apply to a person's ability to reason, but rather the prudence with which he or she acts under the circumstances.
Threat of violence	An intentional act that threatens bodily harm to another person or damage to the property of another
Volunteer	Anyone who without compensation or expectation of compensation beyond reimbursement performs a task at the direction of and on behalf of ASI.
Work Location	The place where the major portion of an employee's working time is spent or the place to which the employee returns during working hours upon completion of special assignments.
Working Hours	Hours of operation as determined by the location at which the employees work.

Standards and Procedures

1.0 Staff Code of Conduct

The following section articulates ASI's expectations regarding the behavior of its employees and volunteers. These expectations represent a standard of conduct to which all employees and volunteers should strive. While failure to uphold these standards at all times and in all situations may not be grounds for disciplinary action, repeated failure or unwillingness to conform to this code of conduct may be cited as a performance deficiency for which employee counseling may become necessary.

1.1 Accountability

ASI employees accept responsibility for their decisions, for the foreseeable consequences of their actions and inactions, and for setting an example for others.

1.2 Civility

ASI employees are characterized by their civility. Consistent with the university's Principles for Shared Community, ASI employees are committed to creating and supporting a work environment in which a diverse population can learn, live, and work in an atmosphere of tolerance, civility, and respect for the rights and sensibilities of each individual. ASI staff members address problems and resolve conflicts in a civil and constructive manner.

1.3 Collaboration

ASI employees create and maintain a work environment characterized by cooperation and contribution to the common good of the organization. They are helpful and supportive of each other. They never publicly express sarcasm, ridicule, or cynicism regarding the programs, services, or operations of the ASI. They refuse to engage in negative gossip regarding any ASI department, unit, customer, or employee. They are willing to forego personal preferences out of consideration for the will of the team. They tolerate risk taking, allow others to make mistakes, and accept errors as learning experiences.

1.4 Competence

ASI employees earn and uphold reputations for professional competence. They keep abreast of the latest developments in their respective areas. They maintain proficiency in the latest methods and technologies. They are proactive in sharing relevant information with coworkers. They cooperate with and accommodate those who want to learn more about their job functions. They welcome questions regarding what they do.

1.5 Customer Service

ASI employees emphasize the facilitation of ASI's mission over the regulation of its activities. They exhibit a "can-do" attitude and stay focused on the customer's need to accomplish a program, project, or activity. They actively seek ways to reconcile customers' needs and desires with any administrative or regulatory restrictions. They facilitate each other's efforts to provide the best customer service possible. They offer assistance wherever it is needed, regardless of their respective job descriptions.

1.6 Maturity

ASI employees display emotional maturity. They accept responsibility for their own actions, inactions, errors, and omissions. They accept the special obligation of modeling emotional self-control in a student development environment. They give and receive constructive criticism with openness and a positive attitude, understanding that there is always room for improvement. They refrain from behaviors that reflect negatively upon themselves or the organization.

1.7 Professionalism

ASI employees behave in a professional manner at all times. They maintain organized work areas. They pursue the highest standards of neatness, accuracy, and timeliness and produce work that meets the highest possible degree of quality. They are courteous, pleasant, and considerate. They conscientiously work at maintaining positive working relationships with other departments and personnel. They never engage in any workplace behavior that could possibly

be misconstrued by others as mean-spirited, abusive, or unprofessional, regardless of the intent.

1.8 Respect

ASI employees demonstrate respect of other people at all times. They treat others as they want to be treated. They respect people's differences and are always willing to learn the most effective way of serving them. They are tactful, courteous, but forthright in their dealings with all people. They never refuse help to anyone unless it represents a threat to their health or safety.

1.9 Trustworthiness

ASI employees are trustworthy. They keep their promises, fulfill their commitments, and abide by the letter and well as the intent of all agreements.

2.0 Workplace Behavior

2.1 Conversations

Non-work related conversations should be carried out discretely and should never interfere with service to customers. Loud conversations should be avoided. At no time is any staff member to discuss or make comments about a customer, another staff member, or the corporation where such discussion or comments may be overheard by ASI customers. When such discussion or comment is required, it is to be done privately, away from and out of the hearing range of the public areas.

2.2 Drugs, Alcohol, and Contraband

ASI strictly prohibits the manufacture, distribution, dispensing, possession, use, and/or sale of a controlled substance, including any of the following items by any individuals while on ASI premises:

- Illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) and any other chemical substances that may affect an individual's mood, senses, responses, motor functions or alter or affect a person's perception, performance, judgment, reactions or senses
- Prescription or over-the-counter drugs that may adversely influence performance or behavior when taken in prescribed quantities
- Drug-related paraphernalia

Unless specifically authorized by ASI, the carrying, use or possession of the following items is also prohibited while on ASI premises:

- Firearms, explosives, fireworks, or ammunition
- Alcohol or intoxicating beverages, with the exception of official ASI-sponsored events approved by the Executive Director or ASI President

In addition, ASI strictly prohibits employees and others working on ASI premises from reporting to work or working under the influence of detectable levels of unauthorized or illegal drugs and/or alcoholic beverages.

2.2.1 Medication

Any employee taking medication should consult a medical professional to determine whether the drug may affect his or her personal safety or ability to perform the essential functions of the job and should advise his or her supervisor of any job limitations. Upon notification of job limitations, ASI will make reasonable efforts to accommodate the limitation. The employee may be subject to provisions of the ASI's Leaves of Absence policy.

2.2.2 On-the-Job Drug Use, Sale, Possession or Distribution

Any employee found to use, sell, possess or distribute any illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) while on ASI premises, performing ASI-related duties, or while operating any ASI equipment, is subject to disciplinary action, up to and including termination of employment. Any suspected illegal drug confiscated will be turned over to the appropriate law enforcement agency.

The moderate use of alcohol at ASI-approved meetings, with business meals, travel, entertainment, or in an appropriate social setting, is not prohibited by this policy.

2.2.3 Leaving the Work Site

ASI will arrange transportation for any employee who feels that they may be impaired from the use of drugs or alcohol.

2.2.4 Criminal Drug Conviction

It will be the responsibility of any ASI employee convicted of a criminal drug offense occurring either on or off ASI premises to notify the Human Resources Manager in writing within five (5) calendar days of the conviction.

Appropriate action may be taken against any ASI employee convicted of a criminal drug offense which may include disciplinary action up to and including termination, and, or the requirement of satisfactory participation in a drug treatment program as deemed necessary by the Human Resources Manager. In deciding what disciplinary action to take, ASI may take into consideration:

- The nature of the offense charged
- The safety requirements of the employee's present job assignment
- The employee's record with ASI
- The employee's statement of facts
- The disposition of the charge
- The impact of the offense on ASI and other relevant factors

ASI may take disciplinary action before and/or after final disposition of the charges.

2.2.5 Limitation

To the extent any federal, state or local law, rule or regulation limits or prohibits the application of any provision of this regulation, then to the minimum extent necessary and only for that geographical area, this policy is deemed to be amended to be in compliance.

2.2.6 ATOD Program

To further enhance ASI's effort, a an Alcohol, Tobacco and Other Drugs (ATOD) program has been established by the campus to inform employees of the dangers of drug and alcohol abuse, and the availability of drug counseling and rehabilitation programs. This program is designed to assist all campus employees. Any employee who desires further information should contact the ATOD Program at extension 52520.

2.3 Eating

Eating is not permitted in the customer service areas of ASI. Drinks are permitted as long as the drinks are secured against spills and office materials, furniture, and equipment are properly protected.

2.4 Employee Dating

ASI has a policy prohibiting sexual harassment in the workplace. This policy applies to all employees of ASI, including supervisors and management. To prevent harassment, some employers prohibit employees from dating, or entering into consensual romantic relationships with other employees. ASI does not prohibit employees from dating, provided:

- Both parties mutually and voluntarily consent to the relationship;
- The relationship does not affect judgment or performance of duties of involved employees; and
- The relationship does not negatively impact the work environment.

Pursuant to CSU Executive Order 1097, a full-time ASI employee shall not enter into a consensual relationship with a student or employee over whom that employee exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event that such a relationship already exists, ASI shall reassign such authority to avoid violations of this policy.

During working hours and at work locations, employees are expected to refrain from intimate exchanges so that others are not distracted or offended. During non-working hours, such as lunches, breaks, and before and after work periods, employees are not precluded from having appropriate personal relationships at work locations as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person. These provisions apply regardless of the sexual orientations of the parties involved.

Employees who allow personal relationships with coworkers to adversely affect the working environment will be subject to the appropriate provisions of ASI's Employee Counseling policy.

Failure to modify behavior and observe appropriate standards of workplace conduct shall be viewed as a serious disciplinary matter.

2.4.1 Disclosure of Relationships

Supervisors, managers, and full-time employees in sensitive or influential positions must disclose the existence of any relationship with another co-worker that has progressed beyond a platonic friendship. Disclosure must be made to the immediate supervisor and to the Human Resources Manager by completion of a Consensual Relationship Disclosure form. This disclosure will enable ASI to determine whether any conflict of interest exists because of the relative positions of the individuals involved.

Where problems or potential risks resulting from the relationship are identified, ASI will work with the parties involved to consider options for resolving the conflict. The initial solution will be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. In some cases, more extreme measures may be necessary such as transfer to other positions or departments.

Continued failure to work with ASI to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for termination. ASI's Employee Counseling Policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

By signing the Consensual Relationship Disclosure, both parties to the relationship shall agree that they are both free to end the relationship at any time, and that upon termination of the relationship, not to allow the breakup to negatively impact the performance of their respective duties. Failure of either party to observe these provisions will result in disciplinary action up to and including termination.

Any employee who feels that he or she has been adversely affected by this policy, or who believes this policy is not being adhered to, should make their feelings known to their immediate supervisor or the Human Resources Manager. Disputes regarding the application of this policy will be resolved through ASI's Employee Complaint Review Procedure.

2.5 Gratuities, Gifts and Premiums

In order to maintain a high standard of integrity, employees are not permitted to accept gratuities or gifts of any significant value from customers, visitors, or vendors. Furthermore, any gifts or premiums resulting from purchases made for ASI shall become the property of ASI (refer to ASI's Policy on Business Ethics and Conduct).

2.6 Personal Check Cashing

ASI does not provide check-cashing services. Employees are prohibited from cashing checks for customers or for other employees.

2.7 Politics

Federal and state laws prohibit an employee from using any official authority or influence to interfere with or to affect an election or nomination. No employee may legally coerce, command, or advise another employee or a customer to lend or contribute time, money, or anything else of value for political purposes (refer to ASI's Policy on Political Activities).

2.8 Release of Information

2.8.1 Employment Verification

All requests for employment verification must be directed to the Human Resources Office. No other manager, supervisor, or employee is authorized to release employment verifications for current or former employees.

ASI only provides an employee's name, position title, and dates of employment. Employee's wage may be verified if that information has already been provided to a prospective employer or agency. No other information will be given unless authorized in writing by the employee.

ASI will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations.

This rule is not intended to interfere with the ability of any unit manager or supervisor to issue letters of reference. Letters of reference, if so written, are voluntary and reflect the opinion of the individual author. Letters should be truthful. The corporation does not review nor accept responsibility for letters of reference.

2.8.2 Financial Information

With the exception of items specified in ASI's Policy on Information Privacy and Security, the financial records of the Associated Students, Incorporated are considered public information. All public requests for such information should be forwarded to the ASI Controller or Executive Director.

2.8.3 Personnel Information

No employee shall release any information on employee compensation, employee status, or any other personnel matter. All such requests shall be forwarded to Human Resources Office.

2.8.4 Corporate Documents

The A.S. Bylaws, Articles of Incorporation, and other corporate documents identified in ASI's Policy on Transparency are considered public information. All requests shall be forwarded to the Office of the Executive Director.

2.8.5 Media Relations

The Office of the Executive Director shall be responsible for all communication with campus or public media regarding financial and personnel information. No other employee may release such information for publication unless otherwise authorized.

2.9 Telephone Calls

Employees shall keep all personal phone calls to a minimum. Friends and relatives should be discouraged from calling during work hours unless there is an emergency. Under no circumstances should an employee make or charge a long-distance call to ASI unless it is work related and/or approved by the employee's supervisor.

2.10 University Attendance

Full-time, regular employees may request approval to attend class during their regular work hours, provided the class does not interfere with their ability to complete work assignments. Employees who miss work hours due to class attendance must make up the missed time within the same pay period. Employees must have the approval of their immediate supervisor to take advantage of this program.

2.11 Workplace Violence

ASI is committed to providing a work environment that is as free as possible from intimidation, threats of violence, and acts of violence.

- Intimidation is defined as an intentional act toward another person, causing the other person to reasonably fear for his/her safety or the safety of others.
- A threat of violence is defined as an intentional act that threatens bodily harm to another person or damage to the property of another.
- An act of violence is defined as an intentional act that causes bodily harm, however slight, to another person or damage to the property of another.

Any acts or threatened acts of violence or intimidation will not be tolerated. Anyone engaging in such acts will be subject to disciplinary action, up to and including immediate termination, and may also be personally subject to other civil or criminal liabilities.

Violent behavior includes, but is not limited to:

- The actual or implied threat of harm to an individual, group or individuals, or relatives of those individuals.
- The possession on ASI or California State University, Long Beach ("university") property of a firearm or weapon of any kind (unless specifically authorized in writing by the ASI Executive Director, in concert with the University Police Department), or the brandishing of any object which could reasonably be construed as a firearm or weapon. The term "property" shall include any ASI or university work site regardless of ownership, or any location where the individual is engaged in ASI or university business.
- Loud, angry, or disruptive behavior that is clearly not a part of the typical work environment, including:
 - Unwelcome name-calling, obscene language, and other abusive behavior
 - Intimidation through direct or veiled threats
 - Throwing objects in the workplace regardless of the size or type of the object being thrown, or whether the person is the target of the thrown object
 - Physically touching another person in an intimidating, malicious, or harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing and pushing

- Physically intimidating others including such acts as obscene gestures, shouting, and fist shaking.
- Callous or intentional disregard for the physical safety or well-being of other(s).
- Willful destruction of ASI, university, customer, or employee property.
- Commission of a violent felony or misdemeanor on ASI or university property. The term "property" shall include any ASI or university work site regardless of ownership, or any location where the individual is engaged in ASI or university business.
- Any other conduct that a reasonable person would perceive as constituting a threat of violence.

This regulation shall apply to employees engaging in any violent behavior regardless of whether or not the behavior is exhibited during the employees' regular work schedule.

Any employee who is subjected to, witnesses or has knowledge of an action which could be perceived as a violent act, or has reason to believe that such actions may occur, must report it immediately to his or her supervisor, the Human Resources Manager, or to the ASI Executive Director. Employees may raise concerns and make reports without fear of reprisal.

ASI has formed a management team to implement and monitor policies dealing with the security of the workplace. This team consists of the ASI Executive Director, the Associate Executive Director, and the Human Resources Manager. The team will utilize the services of the university's Faculty and Staff Assistance Program as needed.

2.12 Workplace Aggression

ASI defines workplace aggression as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates ASI's Code of Conduct, which clearly states that all employees will be treated with dignity and respect.

The purpose of this regulation is to communicate to all employees, including supervisors, managers, and executives that ASI will not in any instance tolerate workplace aggression. Employees found in violation of this policy will be disciplined, up to and including termination.

Workplace aggression may be intentional or unintentional. However, it must be noted that where an allegation of aggression is made, the intention of the alleged aggressor is irrelevant, and will not be given consideration when determining disciplinary action. As in sexual harassment, it is the effect of the behavior upon the individual which is important. ASI considers the following types of behavior examples of workplace aggression:

- Verbal Bullying: unwelcome slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- In addition, the following examples may constitute or contribute to evidence of aggression in the workplace:

- Persistent singling out of one person
- Shouting, raising voice at an individual in public and/or in private
- Using verbal or obscene gestures
- Not allowing the person to speak or express him/herself
- Unwelcome personal insults and use of offensive nicknames
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person's job performance or description
- Public reprimands
- Repeatedly accusing someone of errors which cannot be documented
- Deliberately interfering with mail and other communications
- Spreading rumors and gossip regarding individuals
- Manipulating the ability of someone to do their work (e.g., over-loading, under-loading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions)

Any employee or volunteer who believes that he or she has been a victim of workplace aggression is entitled to a fair and objective investigation of the complaint. Please refer to Regulation 8.1 of the Policy on Employee Supervision, "Complaint Review Procedure."

3.0 Work Environment

3.1 Children at Work

Due to health and safety concerns, employees are prohibited from having minors (persons under the age of eighteen) visit their worksite during working hours, unless the following conditions exist:

- The minor's visit is the result of unforeseen, emergency circumstances beyond the control of the employee.
- The minor remains in the employee's office or work area under the employee's direct control and supervision.

Employees must first obtain the permission of their immediate supervisor before bringing minors into the workplace. Recurring visits may result in disciplinary action. In addition, employees will be held liable for the actions of their children during all times they are on ASI premises.

The presence of children in the workplace creates a distraction that can compromise an employee's ability to perform their duties. Employees are urged to make appropriate

arrangements for dependent care and/or use their accrued leave in order to minimize incidents of child visitors.

3.2 Identification Cards

All employees are provided with a completed application for a CSULB Staff I.D. card on their first day of work. I.D. cards are picked up at the ID Card Services office located at the University Bookstore. Employees should keep the card with them at all times. To replace lost or damaged cards, employees must contact the Human Resources Manager.

3.3 Keys

Supervisors shall initiate requests for keys needed by employees to perform their jobs. The employee is responsible for all keys issued to him/her. Lost keys must be reported immediately to the USU Maintenance Office (55204), or to the immediate supervisor if employed at a location other than the University Student Union. Duplicates keys will be issued and/or locks changed as determined necessary, and a replacement fee will be charged. Recurring loss of keys by an employee may result in disciplinary action.

Upon termination of employment with the ASI, all keys issued must be returned. Return of keys will be documented on the employee's Property Clearance Form, which must be completed prior to release of the final paycheck.

Student employees who fail to return keys or fail to pay for lost keys in accordance with this policy will be referred to the Dean of Students for possible disciplinary action, which may include having a hold placed on the student's university records.

3.4 Parking

Employees are required to pay for on-campus parking. Decals and key cards may be purchased individually for the semester through the University Business Office or through ASI payroll deduction for the entire year. All parking and driving regulations are to be followed when on campus. Parking citations will be issued for infractions. Since citations are processed through Long Beach Municipal Court, unpaid citations could result in serious legal consequences.

3.5 Personal Possessions

ASI does not assume any responsibility for employees' personal possession while on ASI premises and personal possessions are not covered by ASI's property insurance. Personal insurance for these items is the responsibility of the employee.

3.6 Smoking

California State University, Long Beach is declared a "smoke-free" campus in accordance with the Governor's Executive Order D6287, Government Code Section 19262. Smoking is prohibited in all indoor areas and within 20 feet of any entry or exterior areas (e.g. patios, balcony, or courtyard). Any problems should be brought to the attention of a supervisor or the appropriate Division Director.

4.0 Employee Misconduct

Violation of the rules identified below may call for some form of disciplinary action. In some cases, the action may result in either verbal or written warnings, suspension, or discharge. In serious cases or cases where an employee has previously violated the same rules or is not performing at an acceptable level, the employee may be subject to immediate discharge. The types of misconduct identified below are merely examples of conduct that may lead to disciplinary action. They are not an exhaustive list of all types of conduct that can result in disciplinary action, up to and including discharge. All instances of employee misconduct must be documented using the Employee Counseling Action form.

4.1 Misconduct Resulting in Immediate Discharge

Violations of the following types, because of their severity, may result in immediate discharge without a warning:

- 1) Obtaining employment based on false or misleading information.
- 2) Falsifying information or making material omissions in any work-related documents or records.
- 3) Intentional destruction or damage to ASI property or supplies, or to the property of another employee, a customer, or a visitor.
- 4) Theft or inappropriate removal from ASI premises or unauthorized possession of property that belongs to the ASI, another employee, or a customer or visitor.
- 5) Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices on ASI or University property at any time without proper authorization.
- 6) Absence of three or more days without authorization.
- 7) Possession, distribution, sale or use of alcohol or any unlawful drug while on duty or while on ASI premises
- 8) Reporting to work or operating an ASI-owned vehicle under the influence of alcohol or any unlawful drug.
- 9) Physical or mental unfitness to perform the essential functions of the position occupied.
- 10) Conviction of a felony.
- 11) Conviction of any misdemeanor involving conduct that is inherently base, vile, depraved, or contrary to community standards of morality.
- 12) Sexual harassment.
- 13) Unauthorized access to, possession, dissemination, or use of information determined to be confidential by the ASI.
- 14) Fighting or provoking a fight, whether verbal or physical, on ASI time or premises.

- 15) Harassing, threatening, or intimidating any other employee where such action creates a hostile work environment or causes the other person to reasonably fear for his or her safety, the safety of others, or the safety of their property.

4.2 Misconduct Resulting in Employee Counseling

Infractions of the following type may, depending upon the severity of the offense and all pertinent circumstances, result in employee counseling, including a verbal or written warning, suspension, or discharge:

- 1) Unsatisfactory job performance
- 2) Insubordination, including refusal, without proper justification, to do assigned work or to produce work in the manner described by the employee's supervisor or the supervisor's superior.
- 3) Non-compliance or disregard of any established ASI policy, including safety rules.
- 4) Frequent or excessive tardiness or absence from work, or from an employee's work area.
- 5) Falsifying or destroying any timekeeping record.
- 6) Leaving ASI premises or one's job during working hours without notification or without obtaining permission.
- 7) Engaging in any action that endangers others, ASI property, or disrupts work.
- 8) Smoking in restricted areas, or where no smoking signs are posted.
- 9) Using racial, ethnic, sexist, or homophobic remarks or gestures while on duty or while on ASI premises.
- 10) Failing to abide by set standards for lunch and break periods.
- 11) Working unauthorized overtime.
- 12) Circumventing or failing to follow without proper justification established procedures for resolving employee grievances (refer to "Employee Complaint Review Procedure").

4.3 Employee Counseling Process

Employee counseling may be initiated for various reasons, including, but not limited to, violations of work rules or poor job performance. The severity of the action generally depends on the nature of the offense and an employee's record, and may range from verbal counseling to immediate separation. In all cases, the supervisor shall document the counseling using the Employee Counseling Action form. The Employee Counseling Action form shall inform the employee of the possible consequences, including final written warning, suspension, and/or discharge, should additional violations or performance problems occur. The form must be reviewed with the Human Resources Office before conducting the counseling session and must be signed by the Human Resources Administrator, the employee's supervisor, the

supervisor's manager, and the employee, or a witness in those cases where the employee refuses to sign.

The normal employee counseling procedure consists of:

- Level 1. Verbal counseling.
- Level 2. First written warning.
- Level 3. Final written warning.
- Level 4. Suspension.
- Level 5. Discharge.

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. In addition, a higher-level warning need not pertain to the same or similar offense for which a lower level warning was given. Moreover, exceptions or deviations from the normal procedure may occur whenever ASI management deems appropriate.

Employee counseling must be timely and must occur within 30 calendar days of the discovery of the incident requiring the counseling action.

Probationary and temporary employees may be terminated without advance notice for any violation of work rules or for poor job performance.

Forms

The following forms are to be used in the execution of this policy.

Form Name	Purpose	Responsible Office	Approved By	Timeline for Submission
Consensual Relationship Disclosure	To notify ASI about the existence of a social relationship between two ASI supervisors, managers, or full-time employees (who occupy sensitive or influential positions) that has progressed beyond a platonic friendship	Human Resources Office	N/A	At or near the beginning of the relationship
Employee Counseling Action	To document in writing an employee's violation of a workplace conduct regulation	Human Resources Office	Employee's supervisor, the appropriate Division director, and the Human Resources Manager.	Approvals must be obtained before conducting the actual counseling session. Within 30 calendar days of the discovery of the incident requiring the counseling action