

Systemwide Policy HR0580 - Code of Conduct GUIDANCE	
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Code of Conduct Guidance Document

Examples of activities prohibited by this policy

This guidance document is intended to provide clear, specific, and concrete examples of prohibited conduct that violate the Code of Conduct and may lead to disciplinary action. This is not intended to be an all-inclusive list but is instead intended to assist employees and supervisors in understanding what constitutes unacceptable conduct.

Lack of Respect for Persons or Property

- (a) Disorderly conduct on University property, during University activities, or between two University employees, including fighting, provoking a fight, attempting bodily harm or injury to another employee or to any other individual, or threatening physical action or injury; or other conduct that threatens or endangers the health, safety, or well-being of any person;
- (b) Discriminatory, abusive, insulting, or offensive language, including threats, derogatory remarks, epithets, sexually explicit jokes, or jokes that demonstrate insensitivity to a particular group;
- (c) Spreading malicious rumors or perpetuating misinformation;
- (d) Disallowing divergent points of view from being heard, including responses to criticism of job performance;
- (e) Violation of any University policy or law prohibiting harassment, discrimination, or retaliation against students or employees, including HR0280 - Sexual Harassment and Other Discriminatory Harassment;
- (f) Incivility, including bullying, rudeness, or intimidation; verbal abuse in the workplace, including derogatory remarks, insults and epithets; verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; sabotaging or undermining an employee's work performance; unsolicited and unwelcome harassing conduct; or making comments (verbal or written, including e-mail communication and text/instant messaging), gestures, actions, or contacts that would inhibit the work performance of a reasonable person;
- (g) Willful or negligent damage to University property, including physical violence or excessive force (e.g., slamming doors, throwing objects).

Lack of Integrity

- (a) Misrepresentation and dishonesty

- (1) Dishonesty in the workplace
- (2) Representing oneself without authorization as speaking or acting on behalf of the University either directly or indirectly, including the unauthorized use of University logos or other indicia on social media or otherwise.
- (b) Theft
- (c) Abuse of Information Access, Confidential or Otherwise
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) Failure to Disclose Conflicts of Interest
- (e) Prohibited Resource Use
Unauthorized use of University vehicles, mail services, identification, credit cards, telephones, computers, computer equipment, or other University equipment or materials. Without limiting the applicability of Section 5.4(a) of HR0580, 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, all aspects of any University computer system, including employee e-mail.
- (f) Hazardous Health and Safety Conduct
 - (1) Possessing or carrying a firearm in violation of Safety Policy SA0875—Firearms, 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 (e.g., police officers R.O.T.C. personnel, etc.).
 - (2) Smoking in violation of University policy.
 - (3) Failing to wear proper safety equipment or adhere to safety standards.

Personal Misconduct

- (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) Deliberately performing non-work activities during work hours (e.g., illegal gambling, social media use).
- (c) Non-compliance with Applicable laws, regulations, policies, or procedures, including:
 - (1) Flagrant violation or failure to observe traffic or parking regulations; and
 - (2) Failure to report to a supervisor of Human Resources an arrest, indictment, or conviction for a felony or misdemeanor (except for minor traffic offenses) within seven (7) calendar days.
- (d) Excessive absenteeism, including:
 - (1) Unexcused absences, meaning any absence without proper notification or satisfactory reason (an absence of three consecutive days, without notification or satisfactory reason, is considered a voluntary termination for job abandonment);
 - (2) repeated tardiness (arriving at work or designated work activity, whether on campus or remote, after the appointed starting time without supervisory approval);

- (3) Other absences, including failure of employees to report to their work place, whether on campus, remote, or online (i.e., videoconferences, teleconferences, etc.) at the beginning of the work period, leaving before the end of the work period, and failure to inform the supervisor when leaving the work area;
- (4) Unreported or unapproved use of leave;
- (5) Failure to record work time accurately; or
- (6) Misuse of sick or annual leave
- (e) Sleeping on the job.
- (f) Failure to report an accident or injury to a student, employee, visitor, or self to a proper authority as required by HR0397 – Workers Compensation and SA0600 – Reporting Safety and Health Concerns.
- (g) Failure to cooperate in an investigation.
- (h) Failure to wear proper uniform or identification in the prescribed manner as may be required by the University.
- (i) Instigating or participating in deliberate low productivity and/or interfering with another employee’s work.
- (j) Failure or refusal to obtain or maintain required licensure, certification or registration
- (k) Misrepresentation of academic credentials, which is defined by Tennessee Code Annotated § 49-7-133(a) 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 admission to an institution of higher education in Tennessee, represents, orally or in writing, that such person 1) 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 credentials is a Class A misdemeanor.
- (l) Violation of federal government security and workplace safety requirements as outlined in contracts
- (m) Any violation of any law in the performance of duties or that affects the ability to perform duties satisfactorily
- (n) Abusive or irresponsible behavior on social media that violates any provision of this Code of Conduct
- (o) Failure to comply with laws imposing mandatory reporting requirements applicable to health care professionals’ interactions with patients while acting within the scope of University employment
- (p) Failure to submit a complete and accurate Conflict of Interest disclosure form or otherwise fail to comply with the University’s conflict of interest policy
- (q) Fabrication, falsification, plagiarism or other serious unethical or illegal deviations from accepted practices in proposing, conducting, or reporting the results of or reviewing research or service activities, in violation of University policy or state or federal laws or regulations

- (r) Behavior or conduct that violates the ethics and responsibility requirements of this Code in any way not otherwise enumerated

Gross Misconduct

The following occurrences are considered gross misconduct and are grounds for immediate termination without notice or without pay in lieu of notice. While the following offenses illustrate gross misconduct, discharge is not limited to the situations below:

- (a) Conviction of a felony.
- (b) Unauthorized possession of firearms, knives, or other weapons.
- (c) Any act of fighting on University property.
- (d) Absence without notification or reasonable cause for failure to notify supervisor of absence.
- (e) Falsifying personnel or pay records, including applications for employment, timeclock records, or signing a time sheet for another employee.
- (f) Falsifying official or University records or documents, including patient medical records at affiliated hospitals or clinical training facilities.
- (g) Intentionally interfering with a University investigation, including but not limited to refusing to cooperate in an investigation or concealing information relevant to the investigation.
- (h) Filing a fraudulent worker's compensation claim.
- (i) Immoral or indecent conduct on University property.
- (j) Theft, loss, misappropriation of funds, or unauthorized use or removal of University property.
- (k) The unauthorized manufacture, distribution, dispensation, possession, or use of alcohol (whether lawful or not), illegal drugs, intoxicants, or controlled substances; abuse of prescription drugs while on duty; use of alcohol or controlled substances in a University vehicle; or possession or use of alcohol or controlled substances while on duty (except at University-sponsored events and other events an employee is expected to attend as part of his or her duties where alcohol is served)
- (l) Reporting to work under the influence of intoxicants, including alcohol, non-prescribed drugs, or illicit drugs. This includes marijuana even if pursuant to an otherwise valid out-of-state prescription. Note: CBD products may contain sufficient quantities of THC to trigger a positive drug test.
- (m) Unauthorized release of confidential or official information.
- (n) The access, use, or disclosure of a person's financial information, personal information, protected health information or other confidential information without authorization or legal justification, in violation of University policies or laws, e.g., privacy provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Family Educational Rights and Privacy Act (FERPA)
- (o) Unlawful possession, use, manufacture, distribution or dispensing of illicit drugs, controlled substances, or alcoholic beverages during the employee's work period whether

- on University premises or at any other site where the employee is carrying out University duties.
- (p) Behavior of any nature that brings the University into disrepute, including but not limited to willful misrepresentation to or behalf of the University.
 - (q) Behavior that interferes with the operation of the University.
 - (r) Use of University's electronic resources to intentionally display, hold, send, view, print, download, retransmit, distribute or otherwise disseminate content which the University may deem to be indecent, obscene, sexually explicit, or pornographic without a legitimate academic, research, or medical purpose.
 - (s) Any other action, behavior or communication that, as perceived by University officials, adversely affects the University.