

Corrective Action Violation Definitions

This document serves to provide general guidance for supervisors/managers and encourage the consistent application of the District's Corrective Action Procedure. These guidelines are not intended to be all inclusive.

The definitions include but are not limited to the following:

<u>Violation Number</u>	<u>Definition</u>
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1. Inappropriate Conduct:

Any action or conduct by an employee which impedes the District's efforts, brings discredit on the District, impairs the operation or efficiency of the District or any employee, or impairs the employee's ability to perform his/her job. Inappropriate conduct applies to any and all situations regardless of the medium utilized, (i.e. in person, on telephone, e-mail.) Inappropriate conduct is prohibited.

Inappropriate conduct includes but is not limited to the verbal or non-verbal communication, possession, display or transmission of any matter of any nature which is illegal or which may reasonably be considered offensive, harassing, profane, obscene, sexual, pornographic, discriminatory, defamatory, denigrating, abusive, threatening or intimidating.

Verbal or non-verbal communications which are considered offensive and therefore a form of inappropriate conduct would include sexual comments or images, racial slurs, gender-specific communication or any communication which would reasonably be considered to offend someone on the basis of his or her age, sexual orientation, religious or political beliefs, national origin or disability. Employees are prohibited from denigrating a person's race, religion, sex, age, national origin, disability or sexual orientation or other status protected by federal, state or local law.

The Code of Ethics contained in Chapter 112, Florida Statutes, prohibits certain conduct and applies to all employees; however, those employees involved in the District's procurement process should have a heightened awareness of the following forms of inappropriate conduct:

The soliciting or acceptance of anything of value with the understanding that the official action or judgment of the public employee would be influenced thereby; doing business with one's agency; being employed with or contracting with any business or agency regulated by or doing business with the District; disclosing or using information not available to the public and

obtained by reason of the employee's public position for the personal benefit of others or themselves; accepting any compensation, when the employee knew or should have known that it was given to influence a vote or action in which the employee was expected to participate; and corruptly using or attempting to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

2. Failure to Perform:

An employee's failure to perform, either wholly or partially, a lawful duty or to neglect an assigned duty, instruction, or responsibility during working hours.

3. Insubordination:

The refusal to comply with a reasonable order or directive, either written or oral, which relates to the employee's job. This includes both an expressed refusal to obey a proper order and failure to carry out a reasonable instruction or assignment.

4. Excessive Tardiness or Failure to Observe Established Work Times:

The repeated failure to be prompt in reporting to work at the beginning of the work schedule, leaving early or returning late from lunch or rest breaks and/or leaving work early at the end of the work schedule, without prior approval.

5. Absence Without Authorized Leave:

- a. Failure to obtain approval from the proper authority prior to any absence from work, except in the case of an emergency, illness or accident which requires the employee to be absent prior to receiving approval.
- b. Inexcusable or repeated failure to notify the appropriate Supervisor or Division/Department/Office of absence, due to sickness, at least 15 minutes before the scheduled workday.
- c. Being more than 15 minutes late to work for an inexcusable reason or on a repeated basis with or without notifying the appropriate Supervisor or Division/Department .
- d. Obtaining leave based on a misrepresentation.

6. Excessive absenteeism:

A pattern of absence, such as consistent absence on the day preceding or following a regular day off, absence on the same day of the week or month, or any recurring absence which adversely affects the employee's ability to perform assigned tasks with a reasonable degree of regularity.

7. Unauthorized use of District property, services, equipment or personnel:

The use of any District property, services, equipment or personnel for any purpose other than District business or as authorized pursuant to District procedures.

8. Failure to promptly report the suspension or revocation of a required license to the appropriate authority.

This applies to those employees who are required to have a valid license to perform their job duties and responsibilities.

9. Unauthorized possession or careless use or display of knives, firearms, explosives or other dangerous weapons

This applies to actions that occur during working hours, on District property, or in a work situation.

10. Lying or failure to give truthful or requested information:

Oral or written statements that are deliberately inaccurate, incorrect or misleading, but do not constitute falsification of records. This includes lying or failure to provide information or impairing an internal investigation in any way.

11. Possession of drugs or drug abuse:

- a. The unlawful distribution, sale or use of controlled substances, is not permitted.
- b. An employee is not permitted to report for duty while under the influence of drugs.
- c. The storage of, or transport into, any facility or vehicle of a controlled substance, except for drugs prescribed by a licensed physician and used in accordance with the prescription for the treatment of illness or injury, is prohibited.

- d. The District shall take corrective action for violations of this provision consistent with the District's Drug Free Workplace Policy.
- 12. Possession or consumption of alcohol:

The possession or consumption of any alcoholic beverage while on duty or reporting to work under the influence of alcohol is prohibited. The storage or transport of alcohol into any facility or motor vehicle is prohibited. The District shall take corrective action for violation of this provision consistent with the District's Drug Free Workplace Policy.
- 13. Sexual harassment:

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature from any person when:

 - a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual.
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- 14. Reprisal:

Any retaliatory action taken by a Supervisor or an employee against another employee who has provided information regarding the misconduct of another employee or who has filed a complaint, grievance, or appeal.
- 15. Filing of a false complaint or grievance:

The filing of a false complaint or grievance based on false or unfounded information with the knowledge that the information contained in the complaint or grievance is untrue.
- 16. Leaving work station without authorization:

Absence from the work station or duty assignment without notice to the appropriate Supervisor or designee, or leaving work station for a lunch or rest period without proper relief when that station must continuously be staffed.

17. Loafing:

Continued idleness during work periods that results in the employee's failure to perform assigned tasks. This includes, but is not limited to, deliberately wasting time, sleeping, engaging in idle talk or gossip, reading a newspaper or other non-work related material or conducting personal business during work periods.

18. Theft:

The unauthorized taking, actual or attempted, of any property while at work or in a work situation.

19. Sabotage:

Committing or participating in an act of intentional and or malicious destruction or attempted destruction of District employee property, equipment or records.

20. Fighting/Assault:

A physical assault or fighting at work or as a result of a work situation, except when justified in the interest of self-defense in order to prevent bodily harm.

21. Violation or disregard of safety practices:

The failure to follow established safety practices as outlined in the District's Accident Prevention Manual. This includes failure to report any injury or accident; the performance of unsafe acts; or the failure to wear or use appropriate safety equipment.

22. Discrimination:

Discrimination in the recruitment, hiring, promotion or continued employment of an individual on the basis of race, color, sex, age, disability, religious creed, national origin, marital status, veterans' status, sexual orientation or political opinions or affiliation(s), in violation of Federal or State law or other status protected by federal, state or local law.

23. Negligence:

The failure to use ordinary or reasonable care, caution, attention, diligence, or discretion in the performance of assigned duties and responsibilities including the improper or careless use of District vehicles and property.

24. Falsification of a District record:

The intentional issuance of a false or incomplete report or record, either oral or written, or the intentional failure to issue a record regarding the performance of work duties, attendance, injury, illness, job qualifications, or other work related matters.