



4.5.030

Employee Conduct Policy

Date of last board of trustees review: August 18, 2021

The originator of this policy is People and Workplace Culture. Questions regarding this policy may be directed to the originator by calling 801-957-4210.

1. Policy

To fulfill Salt Lake Community College's mission to support and engage students in educational pathways that lead to successful transfer or meaningful employment, all college employees are responsible for appropriate and ethical conduct in all they do as employees of or on behalf of SLCC.

This policy applies to all college employees, faculty, staff, and administrators. Full-time faculty members are also bound by parameters set forth in the [Academic Freedom, Professional Responsibility and Tenure Policy](#) which supersedes this policy.

2. References

- A. Unlawful Conduct and Penalties, Utah Code Ann. § 63G-6a-24.
- B. Utah Public Officers' and Employees' Ethics Act, Utah Code Ann. §§ 67-16-1-15.
- C. Utah Public Employees Healthy Workplace Act, U.C.A. §§ 67-26-101-301
- D. Workplace Harassment Prevention, Utah Administrative Code R477-15-1
- E. Legislative Communications, Utah System of Higher Education R250.



4.5.030

Employee Conduct Procedure

Date of last executive cabinet review: June 6, 2021

The originator of this procedure is People and Workplace Culture. Questions regarding this procedure may be directed to the originator by calling 801-957-4210.

3. Definitions

See [Personnel Definitions](#).

4. Procedures

A. Personal Accountability

All SLCC employees are responsible and accountable for personal integrity, respect and fairness for others, and sound judgment in carrying out their professional responsibilities.

B. Standards of Conduct

1. Adherence to Laws, Rules, Regulations, and Policies

- a. College employees are responsible for understanding and adhering to applicable laws, rules, regulations, and college policies.
- b. Employees who violate applicable laws, rules, regulations, and college policies may be subject to corrective action, up to and including termination.

2. Communication Systems

- a. Employees must use institutionally funded communication systems for conducting college business.
- b. All employees shall comply with the SLCC [Travel Reimbursement Policy](#) regarding personal communication systems paid with college funds.
- c. Digital electronic files or any communications made with college equipment are college property and may be subject to records requests or review by the college at any time.

3. Conflicts of Interest

- a. Employees must not have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction, or professional activity that substantially conflicts with the proper discharge of the employees' duties to the college.
- b. Employees must provide written disclosure of any potential conflict at the earliest possible time to the immediate supervisor and appropriate vice president.
- c. Self-Dealing

Employees must not transact any college business with any other entity where the employee is an officer, agent, member, or in which the employee owns a substantial interest.

- d. Personal Investment

Employees must not make personal investments that could reasonably create a conflict between the employee's private interest and their college interest.

- e. Outside Employment

Employees must not accept outside or dual employment or compensation that could reasonably be expected to impair the employee's independence or judgment in the performance of their college duties.

- f. Use of Information or Position to Secure Privileges

Employees must not use non-public information or their positions to secure special privileges or exemptions for themselves or others.

4. Controlled Substances and Alcohol Use

- a. An employee must not:

(1) manufacture, dispense, possess, use, distribute, or be under the influence of an illegal controlled substance or alcohol during work hours or on state property except where legally permissible; or

(2) operate a college vehicle while under the influence of a controlled substance or alcohol.

5. Criminal Misappropriation

Employees who knowingly misappropriate any item of value that belongs to the college may be subject to criminal prosecution.

6. Criminal Offense Reporting

Employees must report any criminal convictions or criminal charges filed against the employee to their supervisor and Employee Relations within five business days.

7. Romantic and Sexual Relations

- a. The college discourages romantic and sexual relationships between employees and between employees and students.
- b. Employees who become involved in a romantic or sexual relationship with another employee or student must immediately:
 - (1) take fair and appropriate steps to eliminate any power differential or conflict of interest that exists or develops;
 - (2) ensure all parties involved consent to all activities; and
 - (3) inform their supervisors of any power differential or conflict of interest.
- c. Employees who have a romantic or sexual relationship with another employee shall not participate in decisions or evaluations that may lead to promotions, incentives, or other employment opportunities.
- d. Employees in a position of special trust who have a direct evaluative, counseling, or supervisory duties or responsibilities that allow them to exercise undue influence over a student shall not:
 - (1) become involved in a romantic or sexual relationship with a subordinate student;
 - (2) share any sexually explicit or lewd communication or image with a subordinate student; or
 - (3) share any sexually explicit or lewd communication or image of a subordinate student.

8. Lewdness and Pornography

- a. The college prohibits all acts of indecent public display, voyeurism, exhibitionism, lewdness, or other acts of a sexual nature, as defined by the Utah Code, even if consensual, at all college sites.
- b. Employees must not view or download pornographic materials on any college computer or using other college-owned data resources or systems, whether on or off-site.
- c. Employees must report lewdness or pornography incidents to their immediate supervisor, the EEO And Title IX Director, or the Associate Vice President for People and Workplace within two working days.

9. Sexual or Gender-based Misconduct

- a. The college prohibits all acts of sexual or gender-based misconduct at all college sites.
- b. Sexual or gender-based misconduct is any unwanted verbal or physical conduct or communication related to a person's sexuality or gender expression.
 - (1) Sexual misconduct may be a single episode or repeated behavior where such conduct may contribute to an offensive, intimidating, or hostile working and learning environment.
 - (2) Sexual misconduct includes intentional conduct and conduct which results in adverse effects even though such adverse effects were unintended.
- c. Supervisors who witness or receive a report of sexual misconduct must report it to the college EEO office within two business days.

10. Respectful and Equal Conduct

- a. College employees shall promote equal access and opportunity regarding employment, services and other activities within their job responsibilities without regard to race, color, national origin, age, sex, sexual orientation, gender identity, genetic information, disability, religion, protected veteran status, expression of political or personal beliefs outside of the workplace, or any other status protected under applicable federal, state, or local law.
- b. In analysis, demeanor, and expression, college employees shall treat all people with respect and promote equal access to opportunity to employment, services, and other activities within their responsibilities.
- c. The Employee Relations Office will handle all reports of employee misconduct against another employee according to the appropriate policy:
 - (1) general employee misconduct complaints will follow the Workplace Bullying Procedure;
 - (2) employee misconduct complaints regarding one employee's actions against another employee because of their protected class is will follow the procedures in the Anti-Discrimination and Harassment policy; and
 - (3) employee misconduct complaints which include behavior that meets the Title IX Sexual Harassment definition will follow the procedures in the Title IX-Sexual Harassment policy.

11. Workplace Bullying

- a. The college prohibits all acts of workplace bullying.
- b. Workplace bullying is the verbal, nonverbal, or physical conduct of one employee toward another that, based on the severity, nature, or frequency of the conduct:
 - (1) a reasonable person would determine the actor intended to cause intimidation, humiliation, or unwarranted distress;
 - (2) resulted in substantial physical or psychological harm, humiliation, or unwarranted distress; or
 - (3) exploited an employee's known physical or psychological disability.
- c. Workplace bullying complaints and guidelines may be found in the Workplace Bullying Procedure.

12. Improper Use of Staff, Students, Facilities, Equipment, and Supplies

- a. Under all circumstances, the college prohibits supervisors from requiring any college employees or students to work for the supervisor's personal purposes.
- b. College facilities and equipment are to be used for conducting college activities. However, the incidental personal use of such property is permitted, provided each of the following conditions is met:
 - (1) the use of equipment is lawful;
 - (2) there is no additional accrued cost to the college as a result of the use;
 - (3) the use does not interrupt nor interfere with college operations; and
 - (4) the use is not for substantial personal profit, gain, or the promotion of non-college sponsored commercial ventures.
 - (5) the use does not adversely affect the condition of the property.
- c. Under all circumstances, the college prohibits employees from using college purchased supplies, including photocopies and other consumables, for personal or private purposes.

13. Institutional Credit Cards:

- a. Employees must not use a college-issued P-card for personal expenses.
- b. Employees must review and follow the appropriate guidelines or purchases when using the college purchase credit card.

14. Expense Claims

- a. Reimbursement requests for travel or other business expenses must be

accurate and requested only for institutional business expenses.

- b. When possible, expense claims should be approved in advance.
- c. The college will not reimburse employees for alcoholic purchases.

15. Gifts

Employees must not accept, directly or indirectly, any gift, favor, service, or items of value, under circumstances that the employee knows or has reason to believe, or a reasonable person may infer, is offered to influence the discharge of their duties to the college.

16. Liability for Property Loss

The college may hold an employee liable for college property that goes missing or sustains damage due to the employee's gross negligence.

17. Misuse of Position

Employees must not use or allow another to use their college employment position to secure financial gain, privileges, advantages, or employment for themselves or others.

18. Political Involvement

- a. Employees have the right to free speech and are free to support candidates, issues, political parties, or campaigns.
- b. Employees who engage in political activities must do so outside of work hours (or while on approved leave), and they must use their own resources. Employees must not use college phones, email accounts, letterhead, office supplies, equipment, or other college resources to engage in these activities. In addition, employees are expected to make it clear that they are speaking on their own behalf and not on behalf of the college.
- c. Employees are required to comply with the state's executive order and the Board of Higher Education policy on "legislative communications." In general, the executive order and Board policy prohibit college employees, while acting in their official capacities, from engaging in any written or verbal "legislative communications" (i.e., communications with a state legislator regarding the passage or defeat of a specific bill, resolution, amendment or other matter pending before the Utah Legislature).
- d. The president may authorize employees to engage in legislative communications for the limited purpose of explaining technical concepts or providing subject-matter expertise.

19. Purchases from or by Employees

- a. Unless approved by the college president or appropriate vice president and in consultation with the college purchasing agent:
 - (1) the college may not purchase equipment, real or intellectual property from an employee; and
 - (2) an employee may not purchase equipment, property, including surplus property, or services from the college or outside vendor when the employee participated in the college's decision to sell such property.

20. Private Information

- a. College employees must secure and hold in strict confidence all information in their possession about the institution or its constituent parts that is considered confidential by college policy or law or otherwise restricted.
- b. Employees must not disclose non-public, confidential, or otherwise sensitive information or use such information for personal benefit or the benefit of another.

21. Software

- a. Employees must use software licensed to the college for college business.
- b. Employees must not use software licensed to the college for personal, commercial gain except where an extended use license is allowed.

22. Recording Employee Communications and Meetings

- a. Employees must not secretly record communications between employees and other college community members.
- b. Employees may record administrative meetings that are subject to the Utah Open and Public Meetings Act.
- c. Voice mail systems are permitted to record telephone communications.
- d. This section does not apply to the monitoring or recording under a court order or other legitimate law enforcement activities.
- e. Employee and Student Grievances
 - (1) Supervisors and employees may record formal grievance hearings in which they are participating.
 - (2) Everyone in attendance must be aware of the recording device and that it is recording.

(3) No parties in a mediation hearing may record mediation proceedings.

23. Vehicles

- a. Employees must only use college vehicles for official college business.
- b. Employees may drive college vehicles to attend college business only when all occupants are employees, students, or official guests.
- c. Employees must use the employee's personal vehicle or a rental vehicle to attend college business when occupants include spouses, children or other individuals not directly associated with the college.