

6.23 MISCONDUCT POLICY

I. Policy Section

6.0 Human Resources

II. Policy Subsection

6.23 Misconduct

III. Policy Statement

Grand Rapids Community College employees must adhere to ethical standards and principles to preserve the College's reputation and integrity in the community. Misconduct that violates the law, undermines the integrity of the College, and creates tension in the workplace and academic environment and potential friction between employees and/or students will not be tolerated.

IV. Reason for the Policy

The purpose of the Misconduct Policy is to outline what employee activities constitute misconduct that would interfere with GRCC's highest standards of excellence and integrity, and to notify employees of potential ramifications of policy violations.

V. Entities Affected by this Policy

All Grand Rapids Community College employees (including student employees)

VI. Who Should Read this Policy

Grand Rapids Community College Employees
Board of Trustees
Students
Community Members as College Guests

VII. Related Documents

- A. Student Code of Conduct
- B. GRCC Catalog
- C. Office of General Counsel Webpage
- D. Ethics Monitoring System brochure
- E. GRCC Conflict of Interest Policy
- F. Faculty Code of Ethics

- G. APSS Code of Ethics
- H. Acceptable Use of Technology Policy
- I. Computer and Network Acceptable Use Agreement
- J. Conflict of Interest Policy
- K. Drug and Alcohol Policy

VIII. Contacts

- A. Policy Owner: Executive Director of Human Resources
- B. General Counsel
- C. Labor Relations and EO Generalist
- D. Human Resources Generalists
- E. GRCC Chief of Police

IX. Definitions

- A. Misconduct and Theft: Listing all forms of behavior that are considered unacceptable in the workplace is not possible. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. The list is not intended to be exhaustive:
 - 1. Violations of GRCC Policies
 - 2. Harming or threatening to harm other employees, students, vendors, visitors or property belonging to any of these parties
 - 3. Inappropriate removal or possession of property
 - 4. Working under the influence of alcohol, marijuana (in any form) or illegal drugs
 - 5. Fighting or threatening violence in the workplace
 - 6. Gambling or bookmaking on College property or in College vehicles
 - 7. Smoking in designated non-smoking areas
 - 8. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
 - 9. Unauthorized use of telephones, mail system or other employer-owned equipment
 - 10. Conviction of a felony while employed
- B. Zero Tolerance Misconduct: The following forms of verified intentional misconduct constitute grounds for immediate termination of employment at GRCC. The list is not intended to be exhaustive:
 - 1. Stealing from the College, students, clients or fellow employees
 - 2. Falsification of payroll records or financial records
 - 3. Falsification of employment applications or resumes or any other College forms and documents

4. Possession, distribution, sale, transfer or use of alcohol, marijuana (in any form) or illegal drugs in the workplace, while on duty or while operating employer-owned vehicles or equipment
5. Failure to notify supervisor (or applicable faculty absence line) of unexcused absences of three consecutive days. Unexcused absences of three or more consecutive days will be considered job abandonment.

X. Procedures

- A. Although it is not possible to specify every action that might qualify as misconduct, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would qualify as misconduct, they should immediately contact the Executive Director of Human Resources to obtain advice on the issue.
- B. Disciplinary action for failure to observe any of the above guidelines may include, but not necessarily in progressive order:
 1. Verbal warning
 2. Written warning
 3. Suspension without pay
 4. Termination from Employment
- C. The College reserves the right to take legal action to recover any financial loss suffered by the College as a result of the activity of the employee. The College reserves the right to impose discipline it deems appropriate, given the facts and circumstances of each situation.
 1. Supervisors must report all recommended discipline to the Executive Director of Human Resources to ensure consistent responses to violations. Human Resources will work with the appropriate supervisor to investigate the matter of the alleged misconduct.
 2. Appeal of Discipline: Employee Collective Bargaining Agreements and the Meet and Confer Employee Handbook set forth specific grievance and/or appeal processes.
 3. Grand Rapids Community College reserves the right to search College property, including emails or any other communications using College resources, at any time without consent. The College may request a search of personal property at the worksite or locked company property assigned to an individual if there is reasonable suspicion that evidence of illegal or prohibited activities reside therein. Refusal of such a request may result in disciplinary action up to and including termination.

- D. All employees must cooperate if contacted for an interview as part of an investigation.
- E. Retaliation: The College seeks to foster an environment in which all employees and students feel free to report incidents of misconduct or ethical violations without fear of retaliation or reprisal. Therefore, the College strictly prohibits retaliation against any individual for filing a complaint or for participating in an investigation.
 - 1. All allegations of retaliation will be swiftly and thoroughly investigated. If it is determined that retaliation has occurred, the College will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.
 - 2. Any employee who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures in policy 6.3, Harassment. Supervisors are mandated to report all incidents of retaliation that come to their attention.

XI. Forms

N/A

XII. Effective Date

August 8, 2012

XIII. Policy History

This separate Misconduct policy was developed to provide greater clarity to the campus community regarding what constitutes misconduct and reporting responsibilities. The Policy was created in July, 2012 to include further explanation of misconduct and to refer to appropriate procedures for resolution of complaints.

Revised August, 2016

Revised December, 2018

Revised December, 2020

IV. Next Revision Date

August, 2022