

RULES OF
DEPARTMENT OF EDUCATION
DIVISION OF UNIVERSITIES
UNIVERSITY OF FLORIDA

6C1-3.047 Finance and Administration~~Administrative Affairs~~; University Support Personnel System; Disciplinary Procedures.

(1) The University of Florida shall comply with the Rules of the State University System relating to disciplinary action as contained within 6C-5.950, F.A.C.

(2) In accord with the above-referenced Rules, the University of Florida has adopted the following ~~guidelines and standards for performance and conduct~~ which shall govern the manner and extent to which disciplinary action is taken, ~~except that greater or lesser~~ Levels of penalties may be imposed, dependent upon the seriousness of the offense and any aggravating or mitigating circumstances, or as otherwise required by law. The concept of progressive discipline is endorsed dependent upon the offense. Each situation is assessed on a case-by-case basis. Appropriate disciplinary penalties include: oral reprimand, written reprimand, suspension without pay, or dismissal.

(3) STANDARDS FOR PERFORMANCE AND CONDUCT

(a) Unsatisfactory Attendance. Unsatisfactory attendance includes: failure to obtain approval prior to any absence from work, except in the case of proven emergency, failure to notify or call during an absence, an attendance record of recurring absences, even if the majority of absences were necessary and/or excused, a pattern of absences, tardiness.

(b) Misconduct. Conduct, on or off working hours, that adversely affects the employee's ability to perform his or her duties, or which adversely affects the University's ability to carry out its assigned mission. Misconduct may include but is not limited to: sexual harassment, threatening and/or abusive language, theft, fighting, falsification, insubordination, horseplay, possession, use, and/or distribution of non-prescribed drugs, possession or use of firearms, conviction of a crime, drinking on the job or reporting to work under the influence of alcohol or drugs, improper use of state property, leaving work area without permission, loafing, sabotage, sleeping on duty, strike or concerted activity, unauthorized solicitation, violation of safety practices, disruptive conduct, failure to follow instruction, and retaliation.

(c) Negligence. The failure to use ordinary or reasonable care in, or the omission of or inattention to, the performance of assigned duties. Negligence is synonymous with carelessness, lack of care, and lack of attention.

(d) Violation of provision of law, university rule, or departmental policy, procedure, or practice that is either verbal, written, or understood.

~~(a) Absence Without Authorized Leave~~

~~This includes: (1) Failure to obtain approval prior to any absence from work, except in the case of a proven emergency where the employee must be absent prior to receiving approval from the proper authority for the absence; (2) failure to notify or call in on the first day of absence.~~

~~First occurrence — Written reprimand or suspension~~

~~Second occurrence — Suspension or dismissal~~

~~Third occurrence — Dismissal~~

~~(b) Assault/Fighting~~

~~A physical assault on or fighting with another employee or a member of the public.~~

~~—— First occurrence —— Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~—— (c) Conduct Unbecoming a Public Employee~~

~~—— Conduct, whether on or off the job, that adversely affects the employee's ability to continue to perform his/her current job, or which adversely affects the University's ability to carry out its assigned mission.~~

~~—— First occurrence —— Written reprimand, suspension, or dismissal~~

~~—— Second occurrence —— Suspension or dismissal~~

~~—— Third occurrence —— Dismissal~~

~~—— (d) Conviction of Crime~~

~~—— The conviction of an employee for a crime where such conviction adversely affects the employee's ability to perform his/her job, or which adversely affects the University's ability to carry out its assigned mission.~~

~~—— First occurrence —— Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~—— (e) Drinking on the Job or Reporting to Work Under the Influence of Alcohol~~

~~— 1. Drinking of any alcoholic beverage on the job is prohibited.~~

~~—— First occurrence —— Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~— 2. Reporting to work under the influence of alcohol is prohibited.~~

~~—— First occurrence —— Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~—— If any employee is determined to be an alcoholic or a problem drinker, the University shall comply with the State Policy on Alcoholism, Administration Commission Memorandum 73-20, a copy of which is available from University Personnel Services.~~

~~—— (f) Reporting to Work Under the Influence of, or Use of Nonprescribed Drugs~~

~~—— 1. The use of any nonprescribed drug on the job is prohibited.~~

~~—— First occurrence — Suspension or dismissal~~

~~—— Second occurrence — Dismissal~~

~~—— 2. Reporting to work under the influence of any nonprescribed drug is prohibited.~~

~~—— First occurrence — Suspension or dismissal~~

~~—— Second occurrence — Dismissal~~

~~—— (g) Possession, Sale, Distribution of Alcoholic Beverages or Nonprescribed Drugs~~

~~—— The possession, sale, or distribution of alcoholic beverages or nonprescribed drugs on State property or on the job is prohibited.~~

~~—— First occurrence — Suspension or dismissal~~

~~—— Second occurrence — Dismissal~~

~~—— (h) Horseplay~~

~~—— Actions which, even though intended to be mischievous or prankish, disrupt or have the effect of disrupting the work of the participants or other employees.~~

~~—— First occurrence — Oral reprimand~~

~~—— Second occurrence — Written reprimand~~

~~—— Third occurrence — Suspension or dismissal~~

~~—— Fourth occurrence — Dismissal~~

~~—— (i) Improper and/or Careless Use or Operation of State property or Equipment~~

~~—— The improper and/or careless use of State property or equipment (abuse or misuse). This includes failure to observe the established speed limit while driving a State vehicle.~~

~~—— First occurrence — Written reprimand, Suspension, or dismissal~~

~~—— Second occurrence —— Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (j) Insubordination~~

~~—— A deliberate and unacceptable refusal to obey a reasonable order which relates to an employee's job function. An unwillingness to submit to authority. Includes both an expressed refusal to obey a proper order, as well as a deliberate failure to carry out an order.~~

~~—— First occurrence — Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~—— (k) Leaving Work Area or Duty Assignment Without Authorization~~

~~—— Absence from the work area or duty assignment during a work period without permission of the appropriate supervisor. Includes leaving a work area for a lunch or rest break, or at the end of a work schedule, without proper relief, where such relief or permission is a specific requirement.~~

~~—— First occurrence — Written reprimand~~

~~—— Second occurrence —— Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (l) Loafing~~

~~—— Continued and deliberate idleness during work periods which result in the employee's failure to perform assigned tasks. This includes, but is not limited to, deliberately wasting time, engaging in idle talk or gossip or conducting personal business during work periods.~~

~~—— First occurrence — Oral reprimand~~

~~—— Second occurrence — Written reprimand~~

~~—— Third occurrence — Suspension or dismissal~~

~~—— Fourth occurrence — Dismissal~~

~~—— (m) Negligence~~

~~—— The failure to use ordinary or reasonable care in, or the omission of or inattention to, the performance of assigned duties and responsibilities. Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence or discretion.~~

~~—— First occurrence — Written reprimand~~

~~—— Second occurrence — Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (n) Possession of Unauthorized Weapons and/or Firearms on University property~~

~~—— The unauthorized possession, use or threatened use of weapons and/or firearms on University property or at any other location while on duty is prohibited.~~

~~—— First occurrence — Suspension or dismissal~~

~~—— (o) Sabotage~~

~~—— Participation in a willful act of destruction or attempted destruction of State property or equipment.~~

~~—— First occurrence — Dismissal~~

~~—— (p) Sexual Harassment~~

~~—— Rule 6CI-1.006, F.A.C., designates sexual harassment as conduct unbecoming of a University employee. Sexual harassment will not be tolerated and is defined under established~~

~~University policy as unwelcome sexual advances or requests for sexual favors and other verbal or physical conduct of a sexual nature.~~

~~—— First occurrence —— Written reprimand, Suspension, or dismissal~~

~~—— Second occurrence —— Suspension or dismissal~~

~~—— Third occurrence —— Dismissal~~

~~—— (q) Sleeping on Duty~~

~~—— The failure of an employee to remain awake while on duty during work periods.~~

~~—— First occurrence —— Suspension or dismissal~~

~~—— Second occurrence —— Dismissal~~

~~—— (r) Strike or Concerted Activity~~

~~—— Instigating or supporting in any manner a strike. A strike is defined as: the concerted failure of employees to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work by employees; the concerted submission of resignations by employees; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure of employees to report for work after the expiration of a collective bargaining agreement; and picketing in furtherance of a work stoppage. The term "strike" shall also mean any overt preparation, including, but not limited to, the establishment of strike funds with regard to the above-listed activities.~~

~~—— First occurrence —— Dismissal~~

~~—— (s) Theft or Stealing~~

~~—— The unauthorized taking of any property of the State, an employee, or any other person.~~

~~—— First occurrence — Dismissal~~

~~—— (t) Threatening and/or Abusive Language~~

~~—— The use of language which is threatening or abusive, whether directed toward a supervisor, a fellow employee, or a member of the public. This includes any offensive language, whether or not directed toward anyone in particular, regardless of intent.~~

~~—— First occurrence — Written reprimand, suspension or dismissal~~

~~—— Second occurrence — Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (u) Unauthorized Solicitation~~

~~—— The solicitation of an employee by another employee, including the distribution of material, for any purpose not specifically authorized by the University of Florida while either employee is on duty.~~

~~—— First occurrence — Written reprimand~~

~~—— Second occurrence — Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (v) Unauthorized Use of State Property, Equipment or Personnel~~

~~—— The use of any State property, equipment, or personnel for any purpose other than official University of Florida business.~~

~~—— First occurrence — Written reprimand, suspension or dismissal~~

~~—— Second occurrence — Suspension or dismissal~~

~~—— Third occurrence — Dismissal~~

~~—— (w) Unsatisfactory attendance~~

~~—— 1. Excessive Absence: An attendance record of recurring absences, even though all or a majority of the absences were necessary and/or excused. This also includes a pattern of absences by an employee, such as consistent absences on the day preceding or following the employee's regular days off or absence on the same day of each week or month.~~

~~—— First occurrence — Oral reprimand~~

~~—— Second occurrence — Written reprimand~~

~~—— Third occurrence — Suspension or dismissal~~

~~—— Fourth occurrence Dismissal~~

~~—— 2. Excessive tardiness: The failure to follow established work schedules. This includes reporting late at the beginning of the work schedule, leaving early or returning late from lunch or rest breaks, or leaving work early at the end of the work schedule, all without approval.~~

~~—— First occurrence — Oral reprimand~~

~~—— Second occurrence — Written reprimand~~

~~—— Third occurrence — Suspension or dismissal~~

~~—— Fourth occurrence Dismissal~~

~~—— (x) Unsatisfactory Work Performance Including Continued Inefficiency, Inability to Perform Assigned Duties and/or Substandard Performance of Assigned Duties~~

~~—— The failure to satisfactorily meet the minimum performance standards that specifically relate to the employee's duties and responsibilities. An employee's failure to meet established work standards may be handled under Rule 6C 5.925, F.A.C. or may involve use of progressive discipline in conjunction with the evaluation process.~~

~~—— First occurrence — Oral reprimand~~

~~Second occurrence — Written reprimand~~

~~Third occurrence — Suspension or dismissal~~

~~Fourth occurrence — Dismissal~~

~~(y) Violation of Safety Practices~~

~~The failure to follow established safety practices. This includes the performance of unsafe acts, or failure to wear and/or use safety equipment, or failure to follow established University safety policies and/or procedures.~~

~~First occurrence — Oral reprimand, written reprimand or suspension~~

~~Second occurrence — Suspension or dismissal~~

~~Third occurrence — Dismissal~~

~~(z) Falsification of Records~~

~~Includes misrepresentation and/or falsification or omission of any fact, whether verbal or written, on such records as, but not limited to: time and attendance (leave), employment status, employment application, travel vouchers, and work and production.~~

~~First occurrence — Dismissal~~

~~(a)(a) Violation of the Provision of Law, University Rules, Regulations or Policies~~

~~The failure to abide by the provision of law and/or the failure to abide by written University rules, regulations or policies.~~

~~First occurrence — Written reprimand, Suspension or dismissal~~

~~(b)(b) Failure to follow instructions: An employee's failure to follow oral or written instructions from supervisory personnel.~~

~~First occurrence — Oral reprimand~~

~~Second occurrence — Written reprimand~~

~~Third occurrence Suspension~~

~~Fourth occurrence dismissal~~

~~(c)(c) Disruptive Conduct: Behavior that interferes with the employee's work performance or the work performance of others. This may include, but is not limited to: loud language, creating a disturbance, throwing objects, slamming doors, poor attitude, or other activities and behaviors that would have a detrimental impact on the work environment.~~

~~First occurrence Oral reprimand~~

~~Second occurrence Written reprimand~~

~~Third occurrence Suspension~~

~~Fourth occurrence Dismissal~~

Specific Authority 229.0081(2), 229.0082(1), 240.227(1), 240.261 FS.

Law Implemented 229.0081(2)(m), 229.0082(3), 240.227(5), (19), 240.261 FS.

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