

College Operating Procedures (COP)



Procedure Title: Standards of Conduct
Procedure Number: 05-0903
Originating Department: Office of Human Resources

Specific Authority:

Board Policy 6Hx6:5.02, 6Hx6:5.03
Florida Statute 1001.64, 1001.65
Florida Administrative Code n/a

Procedure Actions: Adopted: 11/21/96; 7/1/00; 12/2/08; 11/01/10, 07/30/15, 02/28/24

Purpose Statement:

To establish guidelines for College employees regarding standards of conduct.

Guidelines:

The College expects all employees:

- To deal with students and citizens in a professional manner
- To perform assigned tasks in an efficient manner
- To be punctual
- To demonstrate a considerate, friendly and constructive attitude toward fellow employees and
- To adhere to the policies adopted by the College.

All violations of these Standards of Conduct noted in this policy shall be investigated by the Office of Human Resources and may subject the offending party to disciplinary action up to and including termination.

I. Conflict of Interest

Employees are expected to devote their best efforts to the interests of the College and the conduct of its affairs. The College recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to College business. No employee shall have or hold any employment or contractual relationship with any business entity which is doing business with the College; nor shall an employee have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his/her private interests and the performance of his/her public duties or that would impede the full and faithful discharge of his/her duties. A policy of full disclosure must be followed to assess and prevent potential conflicts of interest from arising. Employees must contact their supervisor or the Human Resources Office if they have questions regarding a possible conflict of interest or outside work.

II. Harassment, Including Sexual Harassment

Employers interested in human dignity and protection of their employees are particularly concerned about the possibility of employee harassment, whether it is sexual, racial, ethnic or of some other type.

Harassment in any form (verbal, physical or visual) is strictly against College policy and will result in corrective action. If an employee believes that he/she has been the victim of harassment, he/she should immediately report it to his/ her supervisor, or department head.

III. Attendance Standards

Punctuality and regular attendance are essential to the proper operation of any business. These also help the employee to establish a good working reputation and add to his/her opportunity for advancement.

If an employee is unable to report for work for any reason, if he/she will arrive late, or must leave early, the immediate supervisor or, in his/her absence, the next-line supervisor, must be notified before starting time.

Excessive absences by an employee decreases productivity and causes undue hardship on the department. The College reserves the right to require a physician's release when an employee returns to work following a disability.

IV. Absence without Notice

In order to operate the College effectively, we ask that employees keep us informed of their status when they are off work because of illness or accident from any cause. If an employee fails to notify the College after three (3) days of consecutive absence, the College will presume he/she has resigned, and he/she will be removed from the payroll. If an employee must leave work for any reason before the end of the day, he/she must inform his/her supervisor.

V. Personal Appearance of Employees

It is the policy of the College that each employee's dress, grooming and personal hygiene should be appropriate to the work situation. Employees are expected at all times to present an image appropriate to the work being performed. Appropriate personal appearance is an ongoing requirement of employment with the College. The personal appearance of employees who do not regularly meet the public is to be governed by the requirement of safety and comfort but should still be as neat and business-like as working conditions permit. Certain employees may be required to meet special dress, grooming and/or hygiene standards depending on the nature of their job. Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Any work time missed because of failure to comply with this policy will not be compensated. Repeated violations of this policy will be cause for disciplinary actions.

VI. Solicitation and Distribution

Soliciting by one employee of another, or collecting from one employee by another, is prohibited while either employee is on work time. Distributing literature and circulating petitions during work time or in work areas at any time is also prohibited. Trespassing, soliciting or distributing literature by anyone outside the College is prohibited on College premises unless authorized by the College President or appropriate campus administrator.

VII. Smoking

Effective May 17, 2010, all campuses are smoke-free and tobacco-free.

VIII. Telephone and Technology Usage

College telephones and technology are to be used for business purposes and in conformity with College Operating Procedures 02-0405 and 02-0409. Answer all calls promptly and courteously. On occasion, personal calls may be necessary; but we ask your cooperation in limiting them to emergencies or essential personal business and in keeping them brief.

IX. Political Activities of Employees

No employee of the College, except as hereinafter exempted from provisions hereof, shall:

- A. Use his/her official authority or influence for the purpose of interfering with an election, or a nomination of office, or coercing or influencing another person's vote, or affecting the result thereof, or
- B. Directly or indirectly coerce or attempt to coerce, command or advise any other officer or employee to pay, lend or contribute any part of his/her salary, kickback any sum of money, or anything else of value to any party, committee, organization, agency or person for political purposes.
- C. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

X. Bullying

Bullying is defined by the College as behavior that serves to isolate a person in the workplace or hurt them mentally or emotionally. These behaviors may include intimidation; comments that are negative, hostile, degrading, humiliating, or offensive; negative physical contact; the assertion of power through aggression; or habitual cruelty to others. Bullying involves repeated incidents or a pattern of behavior not a single incident.

Bullying complaints shall be submitted to the employee's supervisor or Human Resources and shall be processed and investigated pursuant to the procedures listed in College Operating Procedure 05-0107. If the complaint is proven to be valid, the College shall take appropriate disciplinary action up to and including termination against the employee guilty of bullying.

XI. Conducting Business with the College

Subject to certain exemptions in as set forth in Florida Statute Section 112.313(12), no employee, acting in a private capacity, shall rent, lease, or sell any realty, goods, or services to the College.

XII. Misuse of Public Position

No employee shall corruptly use or attempt to use his/her official position or any property or resource which may be within his/her trust, or perform his/her official duties to secure a special privilege, benefit, or exemption for himself/herself or others.

XIII. Unauthorized Compensation

No employee or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such employee knows, or, with the exercise of reasonable care, should know, that it was given to influence any action in which the employee was expected to participate in his/her official capacity.

XIV. Violation of Florida Statute §553.865 “Safety in Privacy Spaces Act”

As provided by Section §553.865, willfully entering a restroom or changing facility designated for the opposite sex on the premises of the College and refusing to depart when asked to do so by a faculty member, security personnel, administrator or law enforcement except when entering for these purposes:

1. To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. 825.101, F.S., or a person with a disability as defined in s. 760.22, F.S., or a developmental disability as defined in s. 393.063, F.S.;
2. For law enforcement or governmental regulatory purposes,
3. For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
4. For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or;
5. If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.
6. In addition, administrative personnel, faculty members, security personnel, and law enforcement personnel have a right to file a complaint with the Attorney General of Florida alleging that FSW has failed to meet the minimum requirements set forth in §553.865.
7. For investigative procedures please refer to Prohibition Against Sexual Misconduct and Retaliation Document.
8. For disciplinary actions please refer to College Operating Procedures - Disciplinary Procedures (05-0901).

a. Exceptions:

For purposes of this new rule, a person may only enter a restroom or changing facility designated for the opposite sex under the following circumstances:

- i. To assist or chaperon a child under the age of 12, an elderly person, a person with a disability or a person with a developmental disability;
- ii. For law enforcement or governmental regulatory purposes;
- iii. For the purposes of rendering emergency medical assistance or to intervene in any other emergency where health or safety is at risk;
- iv. For custodial, maintenance or inspections (provided the restroom is not in use); or
- v. When the designated restroom is out of order or under repair (provided the restroom is not in use by anyone of the opposite sex).