

Employee Conduct Policy



Policy Title: Employee Conduct and Expectations

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Policy Number: 5-01

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Authorization: Grand Forks County Commission

Approval Date: 11-15-2022

POLICY STATEMENT

The Rules of Employee Conduct for Employees are intended to promote the orderly and efficient operation of Grand Forks County, as well as to protect the rights of all employees.

Violations, therefore, shall be regarded as cause for corrective action, up to and including separation. Separation of employment may result from an accumulation of minor infractions, or for a single serious infraction. Corrective action under these rules does not preclude an employee from corrective action for violation of Grand Forks County policies or procedures, criminal liability, or sanctions for violation of local, state or federal laws.

These rules do not preclude any Grand Forks County department from establishing additional rules for its employees that are necessary for the effective operation of that department.

This is not a comprehensive list of rules, and Grand Forks County reserves the right to discipline employees for acts or omissions not stated below.

RATIONALE

As a basic condition of employment all employees have an obligation to conduct their official duties in a professional manner that services the public interest, upholds the public trust, protects the county's resources, and leads by example.

APPLIES TO

All county employees.

DEFINITIONS

Employee: Individuals who perform work in a full-time, part-time, temporary, or seasonal capacity with Grand Forks County as their employer.

GUIDELINES

Rules of Conduct: To assure orderly operations and provide the best possible work environment, Grand Forks County expects employees to follow rules of conduct that will protect the interests and safety of all employees, the county and clients. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

Each employee is required to always conduct themselves in a professional manner. The following are examples of prohibited conduct:

1. Sexual Harassment

Sexual harassment is a form of unlawful gender (sex) discrimination and is not tolerated at Grand Forks County. All employees should be familiar with the Grand Forks County Sexual Harassment policy available online at:

<https://www.gfcounty.nd.gov/home/showpublisheddocument/388/637248825505500000>

2. Sexual Conduct

Behavior of a sexual nature that is not sexual harassment may, nonetheless, be unprofessional in the workplace or violate other Grand Forks County policies; and, like other behavior that is unprofessional, disruptive, or violates a County policy or procedures, it could warrant corrective action.

Many types of behavior may constitute sexual harassment or sexual conduct including, but not limited to, the following:

- Sexual assault
- Threats or insinuations that lead the affected individual reasonably to believe that granting or denying sexual favors will affect his/her reputation, education, employment, advancement, or standing within the County.
- Sexual advances, sexual propositions, or sexual demands that are not agreeable to both parties
- Unwelcome and persistent sexually explicit statements or stories that are not related to employment
- Sexually explicit e-mails or text messages
- Sexual misconduct such as stalking, cyber stalking, voyeurism, or recording or transmitting sexual images
- Repeated use of sexually degrading language or sounds to describe a person
- Unwanted and unnecessary touching, patting, hugging, or other physical contact
- Comments or questions about an individual's sexual prowess, sexual deficiencies, or sexual behavior
- Dissemination of sexually explicit materials through the County's information technology resources
- Creation, dissemination, or display of offensive items or materials that disrupt the work environment including, but not limited to, photographs, graphics, symbols or video or audio recordings

3. Other Prohibited Harassment or Inappropriate Conduct

Other Unlawful Harassment may occur when a County employee is subject to unwelcome conduct based on a category protected in the Harassment Policy. These categories include: age, color, gender, gender identity, genetic information, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight. Unwelcome conduct that is objectively and subjectively severe, persistent, or pervasive and creates an unreasonable interference with the individual's work is considered harassment.

Behavior that is based on a protected category but does not rise to the level of prohibited harassment under the law, may nonetheless be unprofessional in the workplace or violate other County policies and, like other behavior that is unprofessional, disruptive, or violates a County policy or procedure, could warrant corrective action.

For further information, see the Harassment Policy located at

<https://www.gfcounty.nd.gov/home/showpublisheddocument/386/637248825501900000>

4. Misconduct related to the use or possession of alcohol, illegal drugs, or controlled substances

- Unauthorized consumption or possession of alcohol on County premises
- Consuming, distributing, or possessing illegal drugs, as determined by state or federal law, on County premises
- Consuming, distributing, or possessing controlled substances on County premises without a prescription
- Selling or conspiracy to possess illegal drugs or controlled substances
- Unlawfully manufacturing, distributing, dispensing, or using illegal drugs or controlled substances
- Being under the influence of alcohol when reporting to or while at work
- Being under the influence of illegal drugs (as determined by state or federal law) when reporting to or while at work
- Being under the influence of controlled substances without a prescription when reporting to or while at work
- Failing a required drug or alcohol screen
- Falsifying laboratory test results or samples
- Adulterating or attempting to adulterate a drug screening specimen

For further information, see the Drug/Alcohol Free Workplace Policy located at

<https://www.gfcounty.nd.gov/home/showpublisheddocument/376/637248825327200000>

5. Noncompliance with safety rules and regulations

- Failing to immediately report all accidents and/or injuries
- Failing to comply with safety rules and regulations established by Grand Forks County
- Failing to use safety apparel and equipment
- Failing to report unsafe conditions or practices
- Creating or contributing to disorderly, unclean, or unsafe working conditions

For further information, see the Safety Policy located at

<https://www.gfcounty.nd.gov/home/showpublisheddocument/352/637248825277670000> and Safety Procedures located at <https://www.gfcounty.nd.gov/home/showpublisheddocument/354/637248825280970000>

6. Improper behavior relating to attendance

- Excessive absenteeism or tardiness
- Leaving work early or taking extended break periods
- Leaving the work area without permission
- Making preparation to leave work before the lunch period, break period, or the specified quitting time
- Failing to report for overtime work when scheduled
- Failing to start work at the designated time
- Failing to return from an authorized leave of absence or vacation at the designated time
- Improper use of leave time to cover an absence (e.g., sick leave, bereavement leave, Family Medical Leave Act, jury duty)
- Failure to properly and/or promptly report the reason(s) for being absent, if no previous arrangements were made with an appropriate supervisor

For further information on rest and meal periods, the Rest and Meal Periods policy is located at

<https://www.gfcounty.nd.gov/home/showpublisheddocument/362/637248825295170000> and the Work Schedule policy is located at <https://www.gfcounty.nd.gov/home/showpublisheddocument/362/637248825295170000>

7. Negligent behavior relating to Grand Forks County property or the property of others

- Malicious, negligent, or intentional destruction, damage, defacement, or willful neglect of property of the County or another person
- Using/possessing the County's or another's property without authorization, including but not limited to, non-business use of County computers and peripheral equipment
- Unauthorized taking or attempting to take, misappropriate, conceal, or remove property of the County or of an employee, customer, supplier, vendor, visitor, patron, or guest of a County department
- Unauthorized use of the County telephones, computers, electronics, or other equipment during working or nonworking hours
- Knowingly admitting, or providing means of access to, an unauthorized person into any locked or restricted County building or area
- Knowingly providing means of access to the County's information technology resources to an unauthorized person
- Being on County premises without authorization unless on duty or have business as a member of the public
- Failing to report inappropriate use of County equipment or electronic systems

For further information regarding the use of phone, fax, and mail systems, the Phone, Fax, and Mail Systems policy is

located at <https://www.gfcounty.nd.gov/home/showpublisheddocument/376/637248825327200000>

8. Poor work performance as evidenced by

- Refusal or willful failure to carry out a supervisor's instructions, including the assigned duties of the position, when such instructions do not require unsafe or illegal acts
- Neglect of duty and/or lack of due care or diligence in the performance of duties

- Unsatisfactory work performance or failure to maintain reasonable standards of performance, production, or professionalism
- Dishonest in the performance of duties
- Improper documentation, destruction, falsification, alteration, deletion, or omission related to County forms, records, or reports (e.g., time records, employment applications, and medical records), including, but not limited to, false claims for wages, benefits, insurance, leave of absence, and/or providing false information for personal gain
- Unauthorized disclosure or misuse of records or other business information
- Non-work related use of official position and influence for personal gain
- Conducting personal business while on duty

9. Inappropriate behavior or conduct related to the treatment of others

- Verbal or written of any threat, threatening, intimidating, obstructing, and/or harassing other persons
- Fighting and/or instigating a fight
- Bullying (using verbal, physical, or psychological abuse) or otherwise mistreating a supervisor, co-worker, member of the public, supplier, vendor, or guest
- Engaging in aggressive, hostile, or violent behavior, such as intimidation of others
- Attempting to instill fear in others
- Engaging in belligerent speech, excessive arguing or swearing
- Sabotage or threats of sabotage
- Making false claims against other employees

10. Other misconduct including but not limited to

- Using vulgar or obscene language
- Gambling or engaging in other games of lottery on County time or premises
- Exhibiting immoral conduct
- Retaliating against an individual who makes a complaint of harassment
- Possessing weapons, firearms, hazardous materials, or explosives on County premises (unless authorized in the course of employment)
- Engaging in horseplay or practical jokes that endanger or disrupt employees or County property
- Smoking in unauthorized areas or inappropriately disposing of smoking materials including the use or improper disposal of electronic cigarettes
- Sleeping, loitering, or loafing on the job
- Failing to maintain proper grooming, dress, cleanliness, or hygiene. Dress or appearance should not be distracting to other employees and should be within acceptable standards of health, safety, and public contact
- Working for pay at other employment while on leave (e.g., medical or sick leave) from the County without prior authorization
- Failing to disclose outside interests that may conflict with the interests of the County including, but not limited to, financial, employment, or other business interests
- Vending, soliciting, or collecting contributions on County time or premises without prior appropriate authorization
- Making defamatory statements about other County employees, including supervisors, or making disparaging statements to the public concerning County business
- Knowingly making false statements about County business or employees
- Failing to maintain appropriate licensures and/or certifications in accordance with job requirements
- Failure to disclose and/or inform the employer of convictions that would result in the inability or restriction to operate County equipment or vehicles

For further information regarding smoking, the Smoking policy is located at <https://www.gfcounty.nd.gov/home/showpublisheddocument/360/637248825292200000>

ROLES

Employees:

All employees have a duty to report any matter that is believed to violate this policy and/or may result in any of the following: monetary loss, or harm to the county or an individual(s). Reporting such matters is essential so that we can respond appropriately. Grand Forks County does not condone retaliation against any employee who, in good faith, reports suspected violations of county policies.

Department Head/Manager:

Department heads or their designee are responsible for ensuring all reports of misconduct are investigated and dealt with in a timely manner.

Human Resources:

Human Resources is responsible for partnering with the managers to ensure all investigations and situations are handled in a fair and consistent manner.

This policy is intended as a guideline to assist in the consistent application of Grand Forks County policies and procedures for employees. The policy does not create a contract implied or expressed, with any Grand Forks County employees. Grand Forks County reserves the right to modify this policy in whole or in part, at any time, in its sole discretion. This policy will be reviewed no less than every three years, unless required by Federal, State, or Local law.

RESOURCES

Contact Human Resources if you have any questions or if you would like additional information about this policy.

FORMS

Corrective Action Form

RELATED POLICIES AND PROCEDURES

Department-Specific Confidentiality Guidelines and Procedures

Employee Assistance Program