

MOUNTWEST COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS

Policy No. H - 14

Employee Infractions

General:

- 1.1. Scope: Defines infractions which if committed by an employee require immediate suspension or dismissal.
- 1.2. Authority: W.Va. Code § 18B-2A-4(a)
- 1.3. Passage Date: November 22, 2021
- 1.4. Effective Date: December 22, 2021
- 1.5. Controlling over: Mountwest Community & Technical College.

Policy:

- 2.1. If an employee of Mountwest Community & Technical College (hereinafter the College) commits one or more of the employee infractions set forth below and it is factually determined that he/she committed the infraction(s), he/she will be subject to disciplinary action, up to and including termination of employment depending upon the circumstance in which the event occurs, at the discretion of the Chief Human Resources Officer and the President.
- 2.2 All suspensions without pay or terminations from employment require the advance approval of the president.
- 2.3 The chief human resources officer is responsible for investigating and fact finding in any allegation of the commission of an employee infraction from among those set forth below. The president shall obtain the recommendation of the chief human resources officer or his/her designee before imposing the penalty of suspension without pay or termination from employment for commission of one or more of the employee infractions as set forth below.
- 2.4 The chief human resources officer is responsible for developing, implementing, and administering sufficient procedure to effectuate the provisions of this policy.
- 2.5 Employee infractions:
 - 2.5.1 Theft of or malicious damage to College property;

- 2.5.2 Gross insubordination, including willful and flagrant disregard of a legitimate order, threatening or striking a supervisor;
 - 2.5.3 Consumption of alcoholic beverages or improper use of narcotics while on duty and/or appearing to work under the influence of alcohol or improper use of narcotics;
 - 2.5.4 Unauthorized use of firearms or explosives on College property;
 - 2.5.5 Conviction of a crime which could seriously affect the employee's work performance or the College;
 - 2.5.6 Deliberate falsification of employment application or other College records such as time cards, medical records, or any other dishonest acts committed for personal gain or for malicious intent;
 - 2.5.7 Unauthorized occupation or use of College facilities;
 - 2.5.8 Obstruction or disruption of teaching, research, or administration;
 - 2.5.9 Physical abuse of persons on College property or at any College authorized function or event;
 - 2.5.10 Setting unauthorized fires;
 - 2.5.11 Absence for three consecutive work days without notification or reasonable cause for failure to notify;
 - 2.5.12 Stealing from fellow employees, the College, or others on College property;
 - 2.5.13 Immoral or indecent conduct on College property;
 - 2.5.14 Sexual harassment, assault or rape; and/or
 - 2.5.15 Fighting or threatening to fight on College premises or on College work time.
 - 2.5.16 Failure to maintain established performance standards;
 - 2.5.17 Refusal to comply with institutional rules
- 2.6 This policy does not affect the college's right to terminate a non-classified employee at any time, or the right to not renew a term faculty member's contract for any reason.