

Prohibitions and Penalties: A Guide for Classified Staff

Nevada System of Higher Education, NSHE

**UNLV/NSHE Prohibitions and Penalties
approved by the Personnel Commission on December 9, 2011**

The authority to establish job-related behavior and performance standards derives from the Nevada Revised Statutes Chapter 284 and the Nevada Administrative Code, specifically the "Disciplinary Procedures, Adjustment of Grievances, and Prohibitions and Offenses" sections of the State of Nevada Rules for State Personnel Administration. These regulations provide that each appointing authority shall determine and describe in writing activities that are inconsistent, incompatible, or in conflict with the duties and responsibilities of employees.

The NSE document Prohibitions and Penalties: A Guide for Classified Staff is intended as a guide to clarify existing rules and regulations. This guide does not cover all infractions and violations that could conceivably occur. It does, however, cover the majority of them. (6-4.5 (.)) [TJ E-0324812/5(s)] 49B25T (es TelefhITNS)

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1= Warning; 2= Written Reprimand; 3= Suspension,
4= Demotion; and 5= Dismissal

Forward

Authority to establish job-related behavior and performance standards derives from the Nevada Revised Statutes Chapter 284 and the Nevada Administrative Code. These regulations provide that each appointing authority shall determine and describe ~~it~~ activities that are inconsistent, incompatible, or in conflict with the duties and responsibilities of employees.

If the employee's conduct comes under one of ~~the~~ ~~ones~~ listed in this guide or in NAC 284.646 and 284.650, the supervisor shall inform the employee promptly and specifically of the conduct. Additionally, if the performance of an employee ~~falls~~ ~~below~~ standard, his or her supervisor shall inform the employee promptly and specifically of the ~~deficiencies~~ in the performance of the employee regardless of whether a report on performance of the ~~employee~~ is completed or filed. Three consecutive unsatisfactory evaluations may be sufficient ~~for~~ ~~initiation~~ without progressive disciplinary action.

This handbook is intended as a guide to clarify ~~the~~ ~~rules~~ and regulations. It does not constitute coverage for all infractions and violations that ~~could~~ ~~conceivably~~ occur. It does, however cover the majority of situations that are a source of ~~concern~~ ~~to~~ supervisors and NSHE. The penalties identified for the various infractions are guidelines. Any offense may result in dismissal depending upon the circumstances. A supervisor is not bound by ~~the~~ ~~penalties~~ suggested in the guidelines and may impose a more or less severe penalty ~~depending~~ ~~upon~~ the extenuating circumstances.

This handbook has been approved by the ~~State~~ ~~People's~~ Commission and ~~thus~~ ~~has~~ the same force and effect as other rules and regulations covering ~~class~~ ~~ified~~ employees. All employees will be issued a copy of the "Prohibition and Penalties" handbook.

Table of Contents

Forward.....	Page 2
Table of Contents.....	Page 3
Types of Corrective Action/Disciplinary Actions.....	Page 4
A. Fraud, Falsification or Dishonesty.....	Page 5

Progressive discipline normally follows this course in sequence, but may go outside this course when extreme situations prevail.

1. WARNING –Warnings are not placed in personnel file unless further disciplinary action occurs.
 2. WRITTEN REPRIMAND – This action must be written on the NPD-52 following a discussion between supervisor and employee. The form must be signed by the employee and the supervisor, a copy given to the employee, and the original sent to Human Resources for the employee's file. If the employee refuses to sign the form, state this fact on the form and obtain the signature of a witness.
 3. SUSPENSION – without pay for a period of no more than 30 calendar days. (Requires NPD-41 form) If employee refuses to sign form, state this on the form and obtain the signature of a witness.
 4. DEMOTION – to a lower class. (Requires NPD-41 form) If employee refuses to sign form, state this fact on the form and obtain the signature of a witness.
 5. DISMISSAL – from service. (Requires NPD-41 form) If employee refuses to sign form, state this fact on the form and obtain the signature of a witness.
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Prohibition and Penalties

	1 st Offense		2 nd Offense		Additional	
	Min	Max	Min.	Max.	Min	Max
A.						

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3 U R K L E L W L R Q	1 st Offense		2 nd Offense		Additional	
	Min	Max	Min.	Max.	Min	Max
causes discredit to the institution including, but not limited to, lewd, disorderly, and indecent conduct.						
10. Misuse and/or abuse of supervisor authority.	1	5	2	5	3	5
11. Disregard and/or deliberate failure to comply with or enforce statewide, department office regulations and policies.	1	5	2	5	3	5
12. Negligence in performing official duties including failure to follow instructions or regulations.	1	3	2	5	3	5
13. Carelessness, indifference, and/or inattention to duty.	1	3	2	3	3	5
14. Conducting personal business during working hours.	1	3	2	4	3	5
15. Frequent or continual tardiness and/or failure to report to work promptly after rest and meal periods.	1	3	2	4	3	5
16. Time away from work station without authorization.	1	2	2	3	3	5
17. Leaving a work area or a job when specifically instructed to remain in work area or at the job.	2	4	3	5	3	5
18. Failure to notify supervisor or designated representative, or to comply with department policy promptly when unable to report for work. Notification must occur for each shift.	1	3	2	4	3	5
19. Unauthorized absence from duty.	1	2	2	4	3	5
20. Absence from duty after having been denied permission to take leave.	2	5	3	5	5	
21. Failure to report to work or call a supervisor for three consecutive work days without valid justification.	5					
C. Behavior Toward Others (administration, supervisors, coworkers, students, vendors, public)						
1. Using insulting, abusive, or profane language.	1	3	2	5	3	5
2. Discourteous treatment of others.	1	3	2	4	3	5
3. Causing discord among others.	1	3	2	5	3	5
4. Making statements which demean others.	1	3	2	4	3	5
5. Any intimidating behavior toward others including, but not limited to, verbal threats, stalking, bullying, and fighting.	3	5	4	5	5	

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	1 st Offense		2 nd Offense		Additional	
	Min	Max	Min.	Max.	Min	Max
1. Inability to perform the duties of the position due to being under the influence of drugs and/or controlled substances and/or alcohol.	3	5	5			
2. Failure to pass any drug and/or alcohol test mandated by federal or state law.	3	5	5			
3. Refusal to take any drug and or alcohol test mandated by Federal or State law.	5					
4. Failure to complete any mandatory rehabilitation program recommended in the evaluation of an employee by the designated, qualified treatment provider.	5					

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3 U R K L E L W L R Q	1 st Offense		2 nd Offense		Additional	
	Min	Max	Min.	Max.	Min	Max
4. <u>Negligent</u> destruction of or damage to NSHE property.	1	5	2	5	3	5
5. <u>Willful</u> destruction of or damage to NSHE property.	2	5	3	5	5	
6. Jeopardizing the security of NSHE property.	1	3	2	5	3	5
7. Accessing or communicating data not pertaining to official job duties without authorization.	1	3	2	4	5	
8. Revealing passwords or using another person's user identification and/or password to allow access to confidential information.		5	3	5	5	
9. Installing or using personal or unauthorized software on state information technology resources without proper authorization.	1	3	3	5	5	
10. Making unauthorized copies such as books, manuals, and computer software in violation of copyright laws or vendor licensing agreements.	1	5	3	5	5	

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