

## LOYOLA ENTERPRISES, INC.

### POLICIES & PROCEDURES

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**CLASSIFICATION: Employee Relations**

**Number: III-15**

**Effective Date: 06-17-98**

**SUBJECT: Disciplinary Action**

**Revision Date: 07-09-09**

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All employees are expected to meet LOYOLA'S standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency, and general compliance with the Company's policies and procedures.

Discipline will be taken when LOYOLA determines that it is necessary to remind employees of Company standards of work performance and conduct, or to correct employee behavior which may have a negative impact upon clients, fellow employees, the public, and LOYOLA operations. All disciplinary action will be administered in an equitable and consistent fashion.

Although LOYOLA employees are employed at-will, the Company's best interests are served by fair treatment of employees and when necessary, discipline which is prompt, uniform, and appropriate under the circumstances. Disciplinary action may be in the form of oral warning, written warning, final warning/suspension, administrative leave, or termination, depending upon the severity of the infraction and the employee's work history and work performance. However, immediate termination may be appropriate under all the circumstances.

Disciplinary action will normally be initiated by the employee's immediate supervisor. Supervisors will consult with the Human Resources Manager and/or Executive Management if there is any question concerning the appropriate form of discipline. Supervisors must consult the Human Resources Manager or Executive Management prior to a written warning, final warning/suspension, administrative leave, or termination.

#### **Oral Warning**

If an oral warning is appropriate, the employee will be advised of the nature of the infraction, the change that is necessary in behavior or performance, and the consequences if such behavior or performance is not corrected. The supervisor must write a memorandum documenting the discussion in the event the behavior or performance is not corrected and forward it to the Human Resources Department to be placed in the employee's personnel file. The intent of the oral warning is an informal discussion. The employee is not required to sign the documentation.

#### **Written Warning**

The supervisor must discuss the problem and present a written warning to the employee after consultation with the Human Resources Manager. The warning must clearly identify the problem and outline a course of corrective action within a specific time frame. The employee should clearly understand both the correction action and the consequences (i.e., termination) if the problem is not corrected or reoccurs. The employee should acknowledge receipt of the warning and include any additional comments before signing it. A record of the discussion and the employee's comments will be placed in the employee's personnel file in the Human Resources Department.

Both the employee and the supervisor are required to sign the Counseling Form. If the employee refuses to sign the form, that should be so noted.

Employees who have received formal written warnings are not eligible for salary increases, bonus awards, promotions, or transfers during the warning period.

### **Final Warning/Suspension**

The supervisor must discuss the problem and present a final warning/suspension to the employee after consultation with the Human Resources Manager and/or Executive Management. Where appropriate, an employee may be given a disciplinary suspension of one or more days without pay. Suspensions will be documented on the Counseling Form. The employee should acknowledge receipt of the final warning/suspension and include any additional comments before signing it. A record of the discussion and the employee's comments will be placed in the employee's personnel file in the Human Resources Department. Suspensions will be made only after consultation by the supervisor with the Human Resources Manager or Executive Management.

Both the employee and the supervisor are required to sign the Counseling Form. If the employee refuses to sign the form, that should be so noted.

Employees who have received formal written warnings are not eligible for salary increases, bonus awards, promotions, or transfers during the warning period.

### **Termination**

Termination may be appropriate for an employee who has not corrected problems identified in prior discipline, who shows inability or unwillingness to change behavior or conduct, or who engages in work performance or conduct which warrants immediate termination on the first offense. A termination will be made only after consultation by the supervisor with the Human Resources Manager or Executive Management.

LOYOLA reserves the right to take appropriate disciplinary action, including termination, where, in the judgment of the Company, the employee has engaged in unacceptable conduct or unsatisfactory work performance which is contrary to the best interests of the Company and/or its clients.

All disciplinary action will be undertaken by the Company in a fair and nondiscriminatory fashion and in accordance with the Company's Equal Employment Opportunity policy. Any questions about this policy should be referred to the Human Resources Manager.

Examples of situations which warrant immediate termination are below. The list is intended to be representative of the types of activities that may result in termination. It is not exhaustive and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the Company. The list does not restrict LOYOLA'S rights to establish or change personnel and operational policies, or the Company's right to take disciplinary action which it deems appropriate under the circumstances.

The following are some examples of grounds for immediate termination of an employee:

- Unprofessional conduct
- Breach of trust or dishonesty
- Falsification of company records
- Willful violation of an established policy or rule
- Gross negligence
- Insubordination or intentional failure to carry out an instruction of a supervisor or manager
- Violation of the Non-Discrimination & Anti-Harassment and Equal Opportunity policies
- Falsification of timesheets
- Undue and unauthorized absence from duty during regularly schedule work hours
- Deliberate non-performance of work
- Larceny or unauthorized possession of, or the use of, property belonging to any coworker, visitor, or customer of LOYOLA
- Possession of dangerous weapons on the premises
- Unauthorized possession, use or copying of any records that are the property of LOYOLA
- Excessive absenteeism or lateness
- Marring, defacing, or other willful destruction of any supplies, equipment, or property of LOYOLA
- Failure to call or directly contact your supervisor when you will be late or absent from work
- Fighting or serious breach of acceptable behavior
- Violation of the Drug-Free Workplace/Workforce policy
- Refusing an overtime assignment without good reason
- Violation of the Company's Conflict of Interest and Outside Employment Statement
- Gambling, conducting games of chance or possession of such devices on the premises during work hours
- Sleeping on duty

### **Security Violations: Employees with Active Security Clearances**

#### ***Security Violations***

A security violation or infraction is any breach of security regulations, requirements, procedures or guidelines, whether or not a compromise results. No matter how minor, any security infraction must be reported immediately to the Facility Security Officer so that the incident may be evaluated and any appropriate action taken.

The following are examples of security violations:

- Leaving a classified file or security container unlocked and unattended either during or after normal working hours.
- Keeping classified material in a desk or unauthorized cabinet, container, or area.
- Leaving classified material unsecured or unattended on desks, tables, cabinets, or elsewhere in an unsecured area, either during or after normal working hours.
- Reproducing or transmitting classified material without proper authorization.
- Losing your security badge.
- Removing classified material from the work area in order to work on it at home.
- Granting a visitor, contractor, employee or any other person access to classified information without verifying both the individual's clearance level and need-to-know.

- Discussing classified information over the telephone, other than a phone approved for classified discussion.
- Discussing classified information in lobbies, cafeterias, corridors, or any other public area where the discussion might be overheard.
- Carrying safe combinations or computer passwords (identifiable as such) on one's person, writing them on calendar pads, keeping them in desk drawers, or otherwise failing to protect the security of a safe or computer.
- Failure to mark classified documents properly.
- Failure to follow appropriate procedures for destruction of classified material.

### ***Major Violations***

The significance of a security violation does not depend upon whether information was actually compromised. It depends upon the intentions and attitudes of the individual who committed the violation.

Ability and willingness to follow the rules for protection of classified information is a prerequisite for maintaining your security clearance. Although accidental and infrequent minor violations are to be expected, deliberate or repeated failure to follow the rules is definitely not. It may be a symptom of underlying attitudes, emotional, or personality problems that are a serious security concern.

The following behaviors are of particular concern and may affect your security clearance:

- A pattern of routine security violations due to inattention, carelessness, or a cynical attitude toward security discipline.
- Taking classified information home, ostensibly to work on it at home, or carrying it while in a travel status without proper authorization.
- Prying into projects or activities for which the person does not have (or no longer has) a need-to-know. This includes requests for classified publications from reference libraries without a valid need-to-know, or any attempt to gain unauthorized access to computer systems, information, or data bases.
- Intoxication while carrying classified materials or that causes one to speak inappropriately about classified matters or to unauthorized persons.
- Deliberate revelation of classified information to unauthorized persons to impress them with one's self-importance.
- Copying classified information in a manner designed to obscure classification markings. This may indicate intent to misuse classified information.
- Making unauthorized or excessive copies of classified material. Going to another office to copy classified material when copier equipment is available in one's own work area is a potential indicator of unauthorized copies being made.
- Failing to report requests for classified information from unauthorized individuals.

A graduated scale of disciplinary actions to be taken against employees who violate security requirements has been established and will be applied as follows:

**Minor Violations**

1. First offense: a formal verbal warning by the Facility Security Officer.
2. Second offense within a 12-month period: a letter of reprimand to the individual from the Facility Security Officer.
3. Third offense within a 12-month period: Suspension/Termination of employee's security clearance.

**Major Violations**

1. First offense: a formal verbal warning by the Facility Security Officer.
2. Second offense within a 12-month period: a letter of reprimand to the individual from the Facility Security Officer.
3. Third offense within a 12-month period: 1) Loss of security clearance, 2) arrest, 3) imprisonment or fines.

Any severe violation could result in immediate termination of the employee's security clearance.

Failure to report a security violation is itself a security violation and may be a very serious concern.