

<b>System-wide Policy: HR0580 - Code of Conduct</b>	
<b>Version: 11</b>	<b>Effective Date: 02/01/2023</b>

## HR0580 – Code of Conduct

### SECTION 1. Policy Statement

The purpose of this policy is to define community aspirations for workplace behavior, to provide guidance to employees about expectations for ethical and responsible conduct, and to articulate processes for enforcement of this policy.

### SECTION 2. Reasons for the Policy

To accomplish its educational, research, and public service missions, the University of Tennessee relies on the ethical and responsible conduct of its employees. This Code of Conduct defines community aspirations, provides employees with guidance on how to conduct themselves in an ethical and responsible manner, and provides guidance on processes for enforcement of this policy. Section 4 outlines the University’s general principles of acceptable conduct.

### SECTION 3. Scope and Application

This policy applies to all University employees and members of the University community. This policy represents the University’s official statement of expectations for ethical and responsible conduct by members of the University community. The University community includes individuals representing the University, including but not limited to, employees, student employees, volunteers, contractors, and campus visitors.

Employees are expected to familiarize themselves with this Code and to abide by it. Even the appearance of unethical or irresponsible conduct can be damaging to the public’s trust in the university. Accordingly, employees are expected to conduct themselves fairly, honestly, in good faith, and in accordance with the highest ethical and professional standards.

### SECTION 4. General Statement of Reporting Obligation

- (a) Employees are expected to report any good-faith concern that compliance violations made have occurred, including, but not limited to, the following: violations of state law or federal law or regulations; fraud in the operations of government programs; misappropriation of

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state of federal resources; acts that endanger the health or safety of the public or employees; and mismanagement of programs, funds, and/or abuses of authority.

- (b) Employees are expected to report compliance concerns at the earliest possible opportunity by contacting their immediate supervisor, the next level of supervision, the appropriate campus/institute compliance officer, Audit and Compliance (<https://audit.tennessee.edu>).

## SECTION 5. General Principles of Ethical and Responsible Conduct

### 5.1 Respect

People are the University of Tennessee’s most important resource; as such, employees are expected to treat one another, students, and the general public with dignity, respect, and professionalism at all times. Employees are expected to create an environment that promotes academic freedom, diversity, fair treatment, and respect for others. Respectful conduct includes:

- (1) Treating others with dignity regardless of their position, role, or background;
- (2) Maintaining a professional and appropriate tone in written and verbal communication;
- (3) Providing positive or critical workplace feedback courteously;
- (4) Valuing another person’s point of view, even when disagreement exists; and
- (5) Managing conflict in a proactive and mutually respectful way.

### 5.2 Workplace Civility and Collegiality

- (a) The University strives to be a collegial community where employees collaborate and share responsibilities in service of the University’s mission. Accordingly, all employees are expected to treat one another with civility and collegiality. Civility involves not only respecting others, but being polite, courteous, and thoughtful when interacting with others – including those with diverse perspectives, backgrounds or beliefs.
- (b) Bullying, incivility and disrespect in the workplace can be barriers to effective communication, coaching and performance. All employees, as well as members of the public interacting with employees in the course of University business, have the right to be treated with dignity and respect. Accordingly, bullying, intimidation, threatening behavior, or aggression, whether verbal, written, or physical, will not be tolerated.
- (c) While coaching, counseling, and corrective action are necessary parts of any manager’s supervisory responsibility, the language used to correct or reinforce workplace

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performance must be respectful and professional. Civility requires that even the most critical feedback be delivered respectfully, privately, and courteously. Conversely, individuals receiving coaching, counseling, and feedback are expected to interact professionally and respectfully when receiving such information.

### 5.3 Professionalism

- (a) By holding themselves to high standards of professionalism, employees ensure that the University serves its mission effectively and efficiently. Attendance and work performance are the primary settings in which employees demonstrate professionalism by:
- (1) Reporting to work as scheduled and seeking approval from supervisors in advance for any changes to the established work schedule, including the use of leave and late or early arrivals and departures;
  - (2) Performing assigned duties and responsibilities with the highest degree of public trust;
  - (3) Maintaining the qualifications, certification, licensure, and/or training requirements identified for their positions;
  - (4) Utilizing leave and related employment benefits in the manner for which they were intended;
  - (5) Meeting established job performance expectations;
  - (6) Refraining from the unauthorized consumption of illegal drugs, intoxicants, or controlled substances while on duty; and
  - (7) Reporting suspected child abuse or child sexual abuse in accordance with Tennessee's mandatory reporting policy.
- (b) Employees whose professions are governed by standards and codes specific to their profession (e.g., attorneys, certified accountants, and licensed health care providers) are expected to adhere to University policies, this Code of Conduct, and applicable standards articulated by professional licensing and ethical organizations and boards.
- (c) As members of a research University, employees must conduct research with the highest integrity and in compliance with federal, state, and local laws and regulations and university policies. Employees must recognize that failure to do so can result in significant penalties or criminal prosecution for both employees and the University. Employees involved in conducting research are expected to become familiar with applicable laws, regulations, and policies and to consult with their campus/institute research or compliance office whenever they have concerns or questions. Employees are expected to submit accurate, timely, and complete reports and documents related to research.

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#### 5.4 Integrity

Integrity is the cornerstone of the University of Tennessee’s public service mission. Employees uphold this principle by protecting confidential information, disclosing conflicts of interest, using resources appropriately, complying with relevant laws, and committing to environmental health and safety.

##### (a) Confidential Information

Employees are entrusted with a variety of confidential information about students, faculty, staff, alumni, donors, research sponsors and projects, licensing partners, patients, and other people and activities. Employees must accept the responsibilities of this trust, limiting their access, use, or disclosure of confidential information to only those purposes related to the scope of their job duties. Moreover, confidential information must be accessed, protected, preserved, and destroyed in compliance with applicable laws, regulations, contracts, and university policies. The university has the right to monitor, for business reasons, any and all aspects of any university computer system, including employee e-mail

##### (b) Conflicts of Interest

- (1) University employees interact with outside peers, businesses, governments, organizations, and others to benefit themselves, the University mission, and the public at large. No matter the outside activity or circumstances involved, employees must act and make decisions with absolute credibility, integrity, and objectivity, fulfill their primary commitment to the University and the best interests of its mission, and understand and comply with state and federal requirements.
- (2) As such, employees are expected to take all reasonable precautions and seek appropriate guidance to ensure that their outside interests do not place them in conflict with their duties and responsibilities as University employees. Employees must disclose outside interests annually in accordance with University policies so that they can be reviewed and managed or eliminated, as appropriate.
- (3) This requirement applies equally to conflicts of time and financial conflicts.

##### (c) Responsible Use of University Resources

Employees must use University property, funds, technology, time and other resources for legitimate business purposes. Employees must not use University resources for personal gain or to benefit third parties unless a specific exception has been granted in accordance with University policies. Employees

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are expected to be responsible stewards when using University funds to conduct University business, traveling on behalf of the University, purchasing equipment or materials, or entertaining guests or prospective employees.

**(d) Legal Compliance**

To ensure compliance with all applicable laws, regulations, and policies, employees are expected to familiarize themselves with these requirements and to consult with their campus research or compliance office when questions or concerns arise.

**(e) Environmental Health and Safety**

The University provides information and training to its employees about health and safety standards, as well as steps all employees should take to protect the University community – students, faculty, staff, volunteers, patients, and visitors. In the event of a public health crisis, employees must comply with guidance from the University which will be based on local, state, and federal authority.

**5.5 Retaliation**

(a) Retaliation is an act or attempted act taken to intimidate, threaten, coerce, or discriminate against an individual for the purpose of interfering with any right or privilege secured by law or University policy, or an adverse action taken because someone exercised his or her rights under law or University policy. Such rights include, but are not limited to, filing or making a complaint, making a good-faith report about unethical or suspected unethical behavior, or participating in (or refusing to participate in) a hearing. The University prohibits retaliation against any individual who engages in any activity protected by law or University policy, and prohibits attempts to interfere with the rights and privileges secured by law or university policy. The following examples do **not** constitute retaliation:

- (1) The exercise of rights protected under the First Amendment
- (2) A good faith complaint against an individual alleging the individual made a knowingly false allegation of discrimination, harassment, or unethical behavior

(b) Retaliation is a violation of the Code regardless of whether the underlying allegation of discrimination, harassment, or unethical behavior is ultimately found to have merit. A determination that the evidence does not support the allegation of discrimination or

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harassment, alone, is not sufficient to conclude that any party made a knowingly false allegation.

- (c) Employees are protected from retaliatory discharge if in good faith they report or attempt to report illegal activities or if they refuse to participate in illegal activities. For purposes of the Code, illegal activities are violations of the civil or criminal code of Tennessee or the United States or any regulation intended to protect the public health, safety, or welfare. Employees are also protected from other forms of retaliation for reporting or seeking guidance regarding potential or actual criminal conduct.

## SECTION 6. Penalties/Disciplinary Action for Non-Compliance

Failure to comply with this policy may lead to disciplinary action in accordance with HR0525, which can include termination for unsatisfactory work performance, inappropriate work-related behavior, or gross misconduct.

## SECTION 7. Responsible Official & Additional Contacts

Questions about this policy should be directed to the University’s Chief Human Resources Officer. The email address to contact is [systemhr@tennessee.edu](mailto:systemhr@tennessee.edu). The phone number to contact is 1-888-444-UTHR (8847). Questions about this policy may also be directed to campus/institute chief human resources officers as follows:

### Knoxville

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Human Resources	(865) 974-6642	<a href="mailto:hr@utk.edu">hr@utk.edu</a>

### Chattanooga

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Human Resources	(423) 425-4221	

### Southern

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Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Human Resources		jhlubb@utsouthern.edu

**Martin**

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Human Resources	(731) 881-7845	mwashi24@utm.edu

**UTHSC**

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Human Resources	(901) 448-5600	<a href="mailto:hr@uthsc.edu">hr@uthsc.edu</a>

**SECTION 8. Policy History**

List the history of any prior revisions of the policy or whether this policy replaces an existing policy. The forma below is merely a guide.

**SECTION 9. Related Policies/Guidance Documents**

Related Policies:

HR0525 Disciplinary Action

HR0585 Mandatory Reporting

RE0001 Responsible Conduct in Research

GE0002 Conflicts of Interest & Commitment

FI0130 Fraud, Waste, and Abuse

IT0100 – Acceptable Use of Information Technology Resources

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Guidance Documents:

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