	EPOKA UNIVERSITY REGULATION ON THE DISCIPLINE OF THE MANAGING, ACADEMIC AND ADMINISTRATIVE STAFF				
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GENERAL PROVISIONS

Article. 1 Scope

The scope of this regulation is to define the types of disciplinary sanctions for the leading, academic and administrative staff of Epoka University.

Article. 2 Implementation field

This regulation defines the types of disciplinary violation of the academic and administrative staff at Epoka University, the sanctions, the competent authority, the functioning of the disciplinary councils, the firing and the complaint procedure.

Article. 3 Definitions and acronims

The definitions and acronims in this regulation are as follows:

Authorized authority:	Rector
University:	Epoka University
The authority assigned to judge on the disciplinary violations:	Rector, Dean, Secretary General of the University
Academic Personnel:	The academic personnel of Epoka University
Administrative Personnel:	The administrative personnel of Epoka University
Disciplinary Board:	The Administrative Board of the University and the Administrative Board of the Faculties

THE ADMINISTRATIVE VIOLATIONS AND SANCTIONS

Article. 4 Disciplinary Sanctions

The disciplinary sanctions are as follows:


- a. **Warning:** the document which shows that a person must be more careful during the performance of its work or in its behaviour;
- b. **Critics:** the document which shows that there are some deficiencies in the process of his work or behaviour;
- c. **Cutting of the monthly wage:** cutting of the monthly wage from 1/8 to 1/30 of the monthly gross wage;
- d. **Removal from the leading position:** The removal from the leading position of the Rector, Dean, Director, Head of the Commission, Head of Departement;
- e. **Withdrawn from the work :** Interrupting the working relations upon the request of the employee;
- f. **Firing:** Firing without right to return at the University.

Article. 5 Warning

The disciplinary sanction of “Warning” is given in the following occasions:

- a. The non realization of the order or duty in full manner and appropriate time, non respect of the enforcement of the procedures and predefinite conditions,

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- non registration or keeping the official documents, equipments and instruments submitted for the performance of the work, in disorder.
- b. Being late, leaving early, non performance of the work without reasonable reason or without permission.
 - c. Non respect for the measurments of the institutions
 - d. Attitudes of behaviours not appropriate with duty held or poistion held;
 - e. Application and compaint without respecting the procedure,
 - f. To behave with students in a way that contravenes the dignity of university staff;
 - g. Publishing of the discussions developed in the context of one organ and of its decisions, even in an unintentional way by the unauthorized organs (the applications near the official authorities of legal reasons are an exception to this dispositive);
 - h. Non reply in time, or without reason to the questions of the competent organ according to the definitions in the statutes and regulations;
 - i. The performance during the working time of the work which is not related to the duties assigned;
 - j. Non dedication of importance to the professional development of employees at the university.

Article. 6 Critics

The disciplinary sanction “Critics” is given in case of consupion of the following actions:

- a. The non realization of the order or duty fully or on time, non implementation of the procedures and predefinite conditions;
- b. keeping, usage and storage in a unregular manner of the official documents, equipments and instruments submitted, aiming at the fulfillment of the work;
- c. Failure to comply in attitude and behavior toward the leaders in the course of duty;
- d. Attitudes or actions that harm the reputation and confidence that comes from duty, overtime;
- e. Use for personal needs of tools, equipment and materials belonging to the University;
- f. The loss of official documents or books of documents, tools, equipment or similar items owned by the University and indispensable;
- g. Bickering with work colleagues, support staff, managers or students;
- h. Performing misconduct in work environments, writing documents, signs, drawings or figures improper in this context;
- i. Peer harassment of the colleagues or directors by action or words;
- j. Appeal without reasonable grounds to decisions, orders and instructions of the competent bodies in the context of the administration of services under the rules in force;
- k. Disturbing the regularity, peace and order of work;
- l. Non informing or disinforming of the university or entites realted to it on important issues;

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- m. Giving privat lessons upon payment for the universities students;
- n. Publication of the discussion in the framework of an organ, of its decisions from the unauthorized organ.

Article. 7 Cutting monthly salary

The disciplinary sanction of “Cutting the monthly salary” is given in case of consumption of the following actions:

- a) The non realization of the order or duty fully or on time, non implementation of the procedures and predefinite conditions;
- b) keeping, usage and storage in a unregular manner of the official documents, equipments and instruments submitted, aiming at the fulfillment of the work.
- c) Use for personal needs of the tools, equipment and materials belonging to the University;
- d) The use of lies or disinformation of competent individuals in charge of work;
- e) Usage of offensive actions or humiliating toward the people on duty or in the universities premises;
- f) Attitudes or actions that harm the reputation and confidence that comes from duty, overtime;
- g) Performing any prohibited publication in the working environment;
- h) Leaking and publication of the discussions and decisions which take place in the units of the University from the unauthorized person in order to give away to acts that are in favour or in disfavour of units and their members;
- i) Benefit or try to benefit any favours in a direct or indirect manner from enterprises to which he is connected to or from enterprises which are under his supervision because of his duty;
- j) Theft, deletion, change, or making dirty of the announcements, programs or similar documents, hanged upon orders or with the permission of the directors of the University;
- k) Forgering, use of forged documents or providing for use forged documents in the course of duty;
- l) Usage or providing support for the use of any environment within the University without permission from the competent body and out its purpose;
- m) Not participating in meetings without justified reasons or failure to work during working hours;
- n) Presentation drunk at work, or use of alcohol in work environments;
- o) Preparation of reports or documents not in the manner requested;
- p) Taking part in trade activities or other activities which generate income without being charged with the task;
- q) Discrimination due to language, religious, racial, gender, political beliefs, belonging to sects, committed during the exercise of duty in order to causedamage to certain persons;
- r) Non compliance on purpose to the order and duties assigned;

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- s) Requesting or accepting, directly or indirectly, in the course of duty, the gifts in exchange for favors; borrowing or appropriation by employers or students of the amount of money;
- t) Performance, promoting or helping in order to obstruct the order of the programs organized by the University;
- u) Writing, distribution, preparation or giving help to hang announcements, documents, distribute announcements without permission of competent authority and without relation with the duty assigned;
- v) Boycott and participation in such activities that undermining the order of labor.

Article. 8 Removal from the leading position

The disciplinary sanction of “Removal from the Leading Position” is given in case of the consumption of the following actions:

- a) Pursuit of personal interests directly or indirectly, no matter under which name, by the person who holds the leading position;
- b) Lack of respect and non implementation of the decisions or orders of the superior body or of the Administrative Board of the University;
- c) not taking of the necessary steps to carry out the duties in the most productive and peaceful manner, which directly relate to the responsibility as leader, the performance of actions which undermine peace, momentum or providing support for carrying out such actions;
- d) Non submission of the annual work report without justified reasons, as determined by the regulations in force and non conclusion of the work in the context of the auditing as required by the legislation in act;
- e) The non realization of the councils meeting, even though there is a written warning;
- f) Neglect of the duties as a director or not to conduct the duties assigned by the competent authority.

Article. 9 Withdrawn from the work


The disciplinary sanction “Withdrawn from the work” is given in case of consumption of the following actions:

- a) The non starting of the work within 15 days from the appointment, without permission and reasonable cause;
- b) leave the working place for 10 days, without permission or justified reasons according to the institution, for the part-time personnel non presentation in the working place for two or more days;
- c) Non attending the councils meetings in which they are member in two consecutive meetings or three times during a year without permission or justified reasons.

Article. 10 Firing

The disciplinary sanction “Firing” is given in case of consumption of the following actions:

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- a) Deterioration of order and regularity at work in the University for ideological or political reasons; participation in actions aiming at boycotting, occupying , preventing, slowing down the work or non presentation at work in an organized way aiming at the realization of the abovementioned goals, encouraging or giving assistance to perform such actions;
- b) Printing, multiplication, distributing of brochures, posters, banners, belts and similar materials on prohibited political and ideological issues or writing, demonstrating, hanging, putting in highlight or verbal spread of ideological propaganda, with the work materials in the workplace;
- c) Failure to work without permission or without reasonable grounds for 20 days during 1 year for full time employees and those part-time for 3 days;
- d) Violation of the university personnel or students;
- e) Performance of inappropriate conduct for the academic personnel and of disgraceful actions;
- f) Membership, or activity in support of illegal organizations;
- g) Obstruction of the development of learning process, seminars, conferences, laboratories, examinations, etc., or helping those who hold such actions;
- h) Use of narcotic substances;
- i) The threat of a person or a group to perform an act which constitutes a violation, participation in such an act, lies for this purpose, the threat on the order making false testimony and taking over the guilt.

Article. 11 Unpredicted disciplinary violations

Given the circumstances and significance of the violation and given the behavior for which the disciplinary measures listed above are given, the competent authority may grant the same disciplinary measures for similar actions.

Article. 12 Repetition of the disciplinary violation

In case of repetition of action or situation for which a disciplinary measure is taken, without being deleted from the registry violation, the competent authority gives a disciplinary measure one degree heavier than before.

Article. 13 Positive rating


In the case of academic or administrative staff who has an appreciation in the registry "good" or "very good", could be applied a disciplinary measures one degree easier than what would normally be given.

DISCIPLINARY COUNCILS

Article. 14 Powers and rules for issuing disciplinary measures

- a. The disciplinary sanctions of warning and criticism are given by the person in charge of disciplinary proceedings;
- b. The disciplinary sanction of withdrawn from work and removal from the leading position are given from the direct superior leader;
- c. Cutting of the monthly salary, firing from work are given with the consent of the

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person in charge of disciplinary proceedings, the decision of the Disciplinary Council and the Rector order.

Article. 15 Disciplinary Councils

In the disciplinary councils, members who are Assoc. Professors and Assist. Professors can not participate in the meetings on matters related to Professors, members who are Assist. Professors can not participate in the meetings on matters related to Assoc. Professors and in general members can not participate in meetings when issues related to them are being discussed. In case a council can not convene because of these reasons a superior council becomes responsible to deal with matters. In case a wrongdoing is carried out together by staff who has different academic degrees and administrative positions, investigation procedures and the competent disciplinary council are determined according to the defendant with the highest degree and position.

Article. 16 Councils Meeting

The Councils meets on notice of the President, who determines the place, time and hour.

PREPARATION OF THE DISCIPLINARY COUNCIL

Article. 17 Quorum

Preparing the agenda of meetings, notification of persons interested in its development and the development of the work in a regular manner is provided by the President. In order for the meeting of the disciplinary councils to be valid must participate in it more than half of all members.

Article. 18 Reporting

The task of reporting to the council is carried out by a member of the council appointed by the president. The reporting member prepares within three days of inspection file.


Article. 19 The review procedure

After hearing the report of the reporter at the council is passed to the stage of discussion. If the council deems necessary may question the person responsible. After reviewing the issue and receipt of information about it, is passed to vote, whose results are published by the Head.

Article. 20 Voting

Every member of the Disciplinary Council may vote in favor or against. Abstention can not be used. Decisions are taken by absolute majority. During the voting procedure, the chairman votes last. If there is an equation, the vote of the President is crucial. The details of the decision, are signed by all present members and reflected in the registry.

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Article. 21 Decision

The Disciplinary Council is responsible for the issuing of the disciplinary measure: it is free to accept or not the recommendations provided by the investigation report. The Council has the right to make the same decision or a similar after the submitting the reasons.

Article. 22 Duration of the decision

For the disciplinary violations "Warning" or "Critics", the disciplinary council is obliged to take a decision within 7 days of completion of the disciplinary process.

For the disciplinary violations "Cutting monthly salary" or "Firing" the disciplinary council should take a decision no later than one month from the opening of the file of the investigation by the person in charge of disciplinary proceedings.

Article. 23 The decision making at the Disciplinary Council

With regard to the cases that come to the Disciplinary Council, if it judges as necessary, has the right to inquire the file and any other document related to the said person, to take information from the respective institutions, to hear witnesses or experts or make others hear them in case of their absence as well as to inquire for evidences.

Persons whose termination of employments is requested have the right to inquire any investigation document except his personal file, call witnesses and defend themselves directly or through their representatives at the Disciplinary Council in a written or spoken way

Article. 24 Writing the decision

Within 5 days of the decision, the reporter is obligated to present the written decision and results of voting in the council. Decision is underscored by its chairman and members. In case of opposite opinion, the reasons are set out separately in the same written decision.

Article. 25 Communication of the decision the person concerned

Sanctions identified in disciplinary decisions must be communicated to the interested person within 5 days of signing the decision.

At the same time must be clarified the complaint procedures and deadlines.

FIRING

Article. 26 Definition


Dismissal from the work, is a long-term disciplinary measure, precautionary, which is taken for the academic or administrative staff of the University, when his attitude at work presents risk for job performance.

The Disciplinary measure of dismissal can be taken throughout the duration of disciplinary procedure.

Article. 27 Competences

The disciplinary sanction of dismissal is taken by the direct supervisor, who has assigned the person on duty.

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Article. 28 The responsible for the disciplinary sanction of firing

In case of verification of the reasons for removal from the work, the disciplinary proceeding must begin within 10 days.

If the disciplinary proceedings does not start within the period specified above and is not followed by the standard procedure, the person is responsible legally and materially.

Article. 29 The rights of persons in disciplinary proceedings for removal from work and responsibilities

During the disciplinary proceeding the persons are paid 2 / 3 of the monthly salary. People continue to benefit from rights and social assistance provided by the legislation in force, statutes and regulations.

In the case of firing as a safeguard against of the person who was given this measure, is paid 1/3 of salary until the end of disciplinary proceedings.

Article. 30 Removal of the disciplinary sanction

At the conclusion of the disciplinary proceeding, the disciplinary measures except the dismissal from work, are hided. For the disciplinary measure of dismissal from work, are applied the provisions of this regulation *Article. 28*

Article. 31 Cases when the re-beginning of work is obligatory

In cases when “dismissal from work” precaution is taken but at the end of investigation a disciplinary measure other than “dismissal from work” is given by competent authorities and bodies as well as persons whose disciplinary investigation is removed prior to the decision because of an amnesty, the said persons are returned to their positions at the moment when these decisions are finalized or when the precaution lasts three months.

Article. 32 Freedom of the concerned person

In the case of the disciplinary sanction “dismissal”, if the actions that have become the subject of disciplinary proceedings are not an obstacle to continuity of the service, can be deleted according to the definition of Article25 of this regulation.


DISCIPLINARY PROCEDURE

Article 33 The person responsible for the development of disciplinary proceedings

The responsibilities for the development of disciplinary proceedings are as follows: The person appointed to the disciplinary proceedings, means a person who conducts the disciplinary proceedings directly or through someone else on the application of disciplinary measure. The Rector, for all the University and the Dean for the units for the employees of all levels can start or call the launching of a disciplinary proceedings, in the quality of the person appointed for the development of disciplinary proceedings. The Head of Department submits requests to the person assigned to start the disciplinary proceeding under the departement he covers. He decides to implement the request without delay.

The investigator must have an academic title equal or higher than the person to be investigated. Even in the case of the investigation to leaders of the university the investigator

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should have a similar academic degrees or higher. If against a person suspected of violating discipline is being developed a disciplinary proceeding, and at the same time is started a disciplinary proceeding by a higher body, the proceedings are joined and judged by the highest body in the duty.

Article. 34 Timing

In case of evidence of actions or cases of committing disciplinary violations set forth in this regulation, the competent authority should initiate disciplinary proceedings within one month of receiving knowledge. If the procedure does not begin within a month, it is prescribed. In case from the time of performing the action or situation that constitutes a disciplinary violation have passed more than 6 months, the right to initiate disciplinary proceedings against the person is prescribed.

In case of verification of violations related to the management and finance, during the inspection, from the time of commission of the violation until the person is taken in disciplinary proceeding must not have passed more than 1 year.

Article. 35 The duration of disciplinary proceedings

Once the person is assigned to prosecute the disciplinary proceedings, he informs without delay the person subject to proceeding. A person who follows the disciplinary proceedings should complete this task within 1 month from the date of notification of assignment to duty. If this time is not enough, he presents a request for allocation of additional time. He informs the person in a higher position dealing with the disciplinary proceedings for the granting of additional time.

Article. 36 The manner of the development of the disciplinary proceedings

The person responsible for the development of disciplinary proceedings, can hear a witness, may hold investigations, may require experts or appoint a commission to determine the violation. Every method followed in disciplinary proceedings should be recorded. In the registry it should be reflected: when and where investigation is conducted, the participants, questions and appropriate responses developed, which in the end are signed by all participants during the interrogations.


During this process, is written down the identity of witnesses, addresses and other clarifying information. All questions are written down carefully. The manner of the oath of witnesses is also written down.

All staff of the University is obliged to provide information, records and other documents required by the person appointed to conduct the disciplinary proceedings, without creating delays. Persons who delay the development of disciplinary proceedings or be cause for delay against bpoint 2 of this Article, become subject of a separate disciplinary proceedings.

Article. 37 The right of defense

Disciplinary measures can not be given if previously is not given the right to protect oneself. If person does not exercise the right of defense within a 3 day period given by the person designated to conduct the disciplinary proceedings or council of discipline, it is calculated as

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he has abandoned the right of defense. If the defendant does not exercise the right of protection within a specified act that announces the beginning of disciplinary proceedings against him, it is calculated that has abandoned the right of protection.

Article. 38 Report of the disciplinary proceeding

At the end of the disciplinary proceeding a report is prepared. In the report is determined the adoption of disciplinary proceedings, the date of commencement of disciplinary proceedings, the identity of the defendants, official title, the alleged violation, the stages of investigation, evidence and the defense presented. Every disciplinary violation will be investigated separately, after reviewing the evidence will be proposed the disciplinary measures applicable in that case. Report is submitted to the competent authority without delay.

ENFORCEMENT AND COMPLAINT

Article. 39 Enforcement

The disciplinary measure takes effect immediately and should be applied immediately after its granting. The disciplinary measure of cutting of the monthly salary, is applied the following month after its granting. The granted disciplinary measures is announced at the same time, to the direct superior of the person subject to disciplinary measure.

Article. 40 Complaint

The complaint for disciplinary measures of “warning” and “critics” may be submitted to the responsible with the highest hierarchical level, or to disciplinary councils. The decision of the responsible in highest hierarchical level or of disciplinary council is final.

Article. 41 The timing and procedures of the complaint

The deadline for the complaint about the decision of giving a disciplinary measure given by the person designated to give a disciplinary measure or a disciplinary council is 7 days.

If the complaint is not filed within this period, the decision is considered final.

In case of appeal, the body that takes into consideration the complaint can decide to give the same measure, alleviate the measure or abolish the disciplinary measure.

The body that reviews the complaint must make a decision on request within 7 days from its submission.


In case of breach of disciplinary measure and the deletion from registry must be carried out.

Article. 42 Deletion of a disciplinary measure after a certain period

The disciplinary sanction are recorded in the registry. After 2-year period after the granting of the disciplinary sanction upon the request of the body which has given it, it can be deleted from registry.

If the behavior of the person who has committed a disciplinary violation during the period of 2 years has been good, the disciplinary measures given against him is deleted from the registry and the deletion decision is attached to the file.

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Article. 43 Maintaining registration

The number of pages of the open disciplinary proceedings is marked and the decision of the Rectorate is written in a notebook. In this notebook are included all stages of disciplinary proceedings. Secretary-General or Secretaries are responsible for maintaining the notebook.

Article. 44 File submission

The files of the disciplinary procedure are submitted to the competent person or body upon signature and in confidentiality.

ENTRANCE INTO FORCE AND ENFORCEMENT

Article. 45 This regulation enters into force in the day of approval by the Senate.

Article. 46 The enforcement of this regulation is supervised by the Rector of Epoka University.

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