

NIIT UNIVERSITY

NU STAFF CODE OF CONDUCT

Objective

1.1 To define the Professional Rights, Responsibilities and minimal standards of professional and personal conduct expected from all members of staff, other than those classified as Research and Teaching Staff under clause 5(1)(a) of the NIIT University Statutes, who are directly or indirectly employed by NIIT University; and Procedures for Enforcement and Sanctions for Unacceptable Professional or Personal Conduct.

2. Applicability

2.1 The provisions contained in this “**NU Staff Code of Conduct**” shall apply to all staff members other than those classified as Research and Teaching Staff under clause 5(1)(a) of the NU Statutes.

2.2 All such category of employees who are directly appointed University are required to comply with the expectation set out in this document and conduct themselves in a manner that fulfils the objectives of the University and upholds its ethos. All indirectly employed persons are required to comply with the Code in respect of their activities relating to or impacting upon the University and its stakeholders. The University may take disciplinary action for any infraction of the Staff Code of Conduct as it deems fit.

3. Guiding Principles

3.1 NIIT University as a leading centre of learning and innovation in the emerging areas of the knowledge society seeks to provide and sustain an environment that is conducive to:

- a) Sharing, extending and critically examining knowledge and values and furthering the search for wisdom;
- b) Education of students through the pioneering use of technology;
- c) Development of talent for sustainable growth of industry and society; and
- d) Nurturing of a culture of seamlessness in all facets of life.

3.2 Preservation of the highest standards of administrative and operational efficiency and the effective advancement of the mission of NIIT University as an institution of higher learning is crucially dependent on ‘**proficient execution of operations and effectiveness of the actions initiated**’.

3.3 The 'NU Staff Code of Conduct' as defined in the following paragraphs elaborates the standards of ethical professional and personal behaviour that must guide the members of staff in the performance of their daily professional activities. Any deviation from these ethical precepts is clearly unacceptable and may result in the initiation of disciplinary proceedings against the delinquent individual and as a consequence the imposition of a penalty.

4. Responsibility of the University Management

4.1 It is both a responsibility and an obligation on the part of the University's Board of Management (BOM) as well as its Executive Management/Leadership to protect the rights of its employees and provide a congenial environment to execute all administrative and operational responsibilities in a fair and transparent manner. Clearly the authority of the University's BOM to discipline an errant staff member for inappropriate professional conduct stems from the mutual recognition on the part of the management as well as the staff that protection and preservation of the prerogatives/rights of the staff emanating from the precepts of administrative and operational freedom is central to the University's quest for excellence.

5. Professional Accountability of Members of Staff

5.1 The professional responsibilities and the underlying ethical behavioural norms of the members of staff of NU devolve towards:

- a) The University;
- b) Colleagues;
- c) The Community/Society-at-large; and
- d) The Students.

5.2 **The University:** As a member of the NU Community, an individual staff member has a responsibility towards fulfilment of the University's educational mission. Towards this end all staff members are accountable for maintaining the following behaviour standards:

- a) Discharge the professional responsibilities according to the existing rules and adhere to procedures and processes consistent with their responsibility/role.
- b) Scrupulously adhering to University policies and regulations governing staff professional conduct.
- c) Avoiding intentional disruption of functions and/or activities that are sponsored and/or authorized by the University;
- d) Eschewing the unauthorized use of University resources or facilities on a significant scale for personal, commercial, political or religious purposes;

- e) Refraining from inciting colleagues and/or other University staff to wilfully disobey University rules and/or to disrupt University activities;
- f) Giving adequate notice of one's intention to proceed on leave or to seek termination of one's appointment with the University keeping in mind the possible detrimental effect of one's decision on the University's activities;
- g) Scrupulously adhering to University policies on non-discrimination on grounds of political belief, religion, caste, medical conditions, sexual orientation, gender, etc.; and
- h) Alerting appropriate University functionaries with regards any alarming or threatening behaviour of colleagues and students that comes to one's notice and/or violence in the workplace.

5.3 **Colleagues:** As fellow members of the NU Community, individual members have responsibilities and obligations towards their fellow staff members and all employees of the University. Towards this end each member of the staff is accountable for maintaining the following behaviour standards:

- a) Eschewing discrimination and harassment of colleagues;
- b) Respecting and defending the right of free inquiry of associates, as long as such inquiry is not in violation of University regulations;
- c) Showing professional courtesy and respect to the contrary opinions of colleagues.
- d) Following established norms governing confidentiality of personal communications with colleagues;
- e) Actively assisting in the professional development of colleagues; and
- f) Willingly accepting a fair share of responsibilities for the governance of one's unit as well as the University as a whole.

5.4 **The Community/Society-at-Large:** As citizens of a free nation, staff members have the same rights and obligations as all fellow citizens. They are free, in a like manner as are other citizens, to express their views on any issue of concern to them and also to participate in the political processes of the community subject to adherence to University Rules with regards such participation. At the same time the staff members are accountable for maintaining the following behaviour standards with respect to their relationship with the community/society-at-large:

- a) Conducting oneself as a responsible member of the community/society;
- b) Refraining from intentionally presenting one's personal opinions/views on any matter as being the opinions/views of the University or any of its administrative units;

- c) Conducting one's public and private lives in a manner that avoids bringing dishonour to oneself and the University;
- d) Showing respect for contrary opinions that may be expressed by fellow members of the community;
- e) Eschewing participation in or subscribing to or assisting in any way activities which tend to promote feeling of hatred or enmity among different communities, religions, linguistic groups, sexual orientation/gender, medical/physical conditions or caste, but actively work for National Integration;
- f) Adhering to University Rules with regards the joining of political parties and of seeking elective office;
- g) Eschewing indulgence in criminal acts irrespective of whether such acts lead to conviction or not in a court of law; and
- h) Eschewing participation in any form of disruptive activity that is likely to lead to a breach of law and order in the community.

5.5 The Students: The integrity of the relationship between a staff member and students should be of a nature that reposes absolute trust and faith among students. This relationship vests considerable responsibility and accountability on the staff with regards to security, safety and wellbeing of the students. All staff members are accountable for meeting the following standards of behaviour:

- a) Help in enabling a safe and fearless environment for the students to develop their mental faculties without bounds;
- b) Respect the right and dignity of the students in expressing their opinion;
- c) Inculcate among students scientific and logical outlook and respect for democracy, patriotism and peace;
- d) Foster appropriate social conduct by ensuring that their genuine requirements and expectations are addressed expeditiously;
- e) Deal justly and impartially with students regardless of their religion, caste, political, economic, social and physical characteristics;
- f) Recognise the difference in aptitude and capabilities among students and strive to meet their aspirations;
- g) Encourage students as mentors and counsellors to improve their achievements, develop their personality and at the same time contribute to community welfare;
- h) Acknowledge significant assistance from the students;
- i) Avoid development of a personal relationship of any kind, including that of a romantic or sexual nature, with any student;
- j) Make themselves easily accessible to the students to address their genuine grievances without any remuneration or reward; and
- k) Avoid participation in and/or deliberately abetting the disruption or interference in scheduled activities of the University either individually or collectively, along with other staff members, by withholding any service or facility.

6. Types of Unacceptable Behaviour

6.1 The ethical behavioural standards outlined in sub-clauses 5.2 to 5.4 hereinabove represent a world-wide consensus of the ideal conduct/behaviour expected from an employee. Behaviour which is contrary to these precepts is viewed in all parts of the world as being unacceptable. Types (not necessarily exhaustive) of unacceptable staff behaviour derived from the above listed ethical behavioural standards are enumerated hereunder as examples of what constitutes unacceptable staff conduct. Indulgence in such behaviour may result in imposition of penalties under the University's 'NU Staff Code of Conduct':

- a) Failure to meet the responsibilities as a staff member, including:
 - i) Arbitrary denial of facilities to registered students and employees of NU;
 - ii) Significant evidence of a pattern of failing to adhere, without legitimate reason, to the Rules of the University with respect to the administrative and operational processes and procedures;
 - iii) Undue and unexcused delay in execution of allotted tasks;
 - iv) Discrimination against another employee or a student on grounds of political affiliation or caste or religion or sex or sexual orientation or medical disability, etc.;
 - v) Use of position of power to coerce the judgment/conscience of another employee or a student or to cause harm for arbitrary or personal reasons;
 - vi) Participating in or deliberately abetting disruption or interference or intimidation on the Campus;
 - vi) Breach of privacy rights of any person.
- b) Intentional disruption of functions or activities sponsored by the University.
- c) Deliberate violation of University Policies/Rules & Regulations and inciting fellow members of the University community to do likewise.
- d) Unauthorized use of University resources and/or facilities.
- e) Forcible Detention/Physical Abuse/Harassment/Intimidation of fellow members of the University community.
- f) Violating established rules governing confidentiality in personal communications.
- g) Deliberately misrepresenting personal views as the official position of the University.
- h) Using the University's name and logo to create an impression of University sanction for private activities.

- i) Committing a felony or any other serious violation of the law of the land demonstrating unfitness to continue to be a staff member of the University.

7. Personal Conduct - Staff

7.1 All employees of the University are required to display highest level of personal conduct. Following will be termed as Inappropriate Personal Behaviour/Misconduct:

- a. Use of scurrilous, profane, abusive or obscene language.
- b. Make remarks or engage in conduct that is racist, sexist or in other ways discriminatory.
- c. Promote personal, religious, political, social, or business agendas.
- d. Spread negative, malicious or unkind remarks or rumours about University or its stake holders.
- e. Bullying, threatening or violent/aggressive behaviour.
- f. Wilful damage, theft or misuse of University property.
- g. Being under the influence of illegal drugs, prohibited/controlled substances used for non-medical purposes, consumption of alcoholic beverages, gambling, smoking and disorderly behaviour in the Campus or outside the Campus and coming to the Campus under the influence of drugs or alcohol.
- h. University has a separate "Sexual Harassment Policy" that prohibits unwelcome advances, requests for sexual favours or other verbal or physical conduct, where such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating/hostile environment.
- i. Conduct of personal lives in a manner that brings dishonour to oneself and the University.
- j. Indulgence in criminal acts irrespective of whether such acts lead to conviction or not in a court of law and failing to inform the Registrar/Competent NU Authority about the same.
- k. Interference or tampering with any safety device installed in the Campus eg; Fire Safety/Access Control/CCTV Systems etc.
- l. Taking recourse to press or social media for the vindication of any official act / notice/ circular/ policy and character of employees leading to defamation or adverse criticisms or otherwise.
- m. Use, distribution, sale or possession of illegal drugs or any other prohibited substance, except for approved medical purposes.

8. Professional Conduct – Staff

8.1 All employees are expected to display highest level of professional conduct. Following will be termed as Inappropriate Professional Behaviour/ Misconduct:

- a. Insubordination.
- b. Pilferage.
- c. Involvement in financial irregularities and fraud.
- d. Accepting and giving Gifts and Entertainment in order to seek undue favours.
- e. Sharing confidential information with the competitors, including discussing propriety information which the University considers confidential and has not been made public with, or within earshot of, any unauthorized person. Activities where inadvertent disclosure could occur including a conversation (in person or by telephone) in any public area, in a blog or within a social network. Also, discussing such information with family members or friends. They might innocently or otherwise pass the information on to someone else.
- f. Obtaining information/data/documents for which the employee is not authorized, without knowledge/ concurrence of the authorized person.
- g. Wilful slowdown of work and performance.
- h. Hindering others work and obstructing work/routine functioning in the University.
- i. Intentionally presenting one's personal opinions/views on any matter as being opinion/view of the University.
- j. Furnishing false information regarding name, age, father's/mother's/spouse name, qualification, previous service or any other matter germane to the employment at the time of joining or during the employment.
- k. Join or continue to be a member of an association, the objects or activities of which are prejudicial to the interest of the University, Public Order, Decency or Morality.
- l. Being a signatory to any joint representation addressed to the University authorities or redress of any grievance or for any other matter.
- m. Indulging in or undertaking Private Trade or another parallel Employment.
- n. Non-observance of scheduled hours of work, during which an employee must be present at the place of duty. Marking of attendance on the employee attendance portal should be from the designated place of work only, unless authorized by competent authority.

9. Special Responsibilities of Unit Heads

9.1 These are:

- a) Formulate instructions in a precise, complete and binding manner, especially with a view to ensure compliance.
- b) Review the work of team members on continual basis.
- c) Treat all the employees in the team with absolute fairness.
- d) Communicate to the employees that any violation of the applicable laws/regulations are not appreciated and would have disciplinary implications.
- e) Bring to notice of higher authorities any unauthorized activity taking place in respective area/unit.
- f) Motivate and guide staff members to innovate in order to achieve greater efficiency and economy.
- g) Motivate and guide staff members to become more technology savvy, cause continuous perceptible improvements in level of service and strive for highest efficiency, effectiveness and customer delight.
- h) Be a role model.

10. Ethical Standards

10.1 NU encourages employees to report to their Unit Heads/ Leadership, concerns and suspected violations of the Code, internal policies, external legal and regulatory requirements etc.

11. Conflict of interest

11.1 All University employees must:

- a) Ensure that there is no actual, potential or perceived conflict between their personal interests or their duties to other parties and their duties and responsibilities as staff of the University.
- b) Promptly make full disclosure to the University of all relevant facts and circumstances giving rise to an actual, potential or perceived conflict of interest and cooperate with the University to ensure that appropriate steps are taken to eliminate or manage such conflicts in accordance with various policies and guiding principles of the University.

12. Privacy and Confidentiality

12.1 Intellectual property of the University such as trade secrets, patents, trademarks and copyrights, as well as business, research and objectives and strategies, records, databases, salary and benefits data, employee medical information, and any data not in public domain should be protected.

13. Media/ Social Media Policy

13.1 Should not use defamatory language against University or its stakeholder in media or post such comments on social media or mails.

13.2 Any opinion posted on social media should be in personal capacity unless specifically authorized by the University.

14. Disciplinary Penalties

14.1 Disciplinary penalties in case of staff will be dealt at two levels; for Senior Staff (whose appointing authority is the BOM as specified under clause 7(1)(a) of the NIIT University Statutes) and Junior Staff (whose appointing authority is the President as specified under clause 7(1)(b) of the NIIT University Statutes).

14.2 Following disciplinary penalties in order of increasing severity may, for good and sufficient reasons, and as hereinafter provided, be imposed on a member of staff of the University for **professional/personal misconduct** resulting in a breach of the ethical behavioural norms broadly spelt out in sub-clauses 5.2 to 5.4 hereinabove (this is exclusive of cases pertaining to 'Sexual Harassment', which will be governed by a separate committee constituted specifically for the violation):

- a) Written Censure which constitutes a formal written statement of rebuke (in contrast to an informal written or spoken warning) and shall contain a brief description of the censured conduct. Authority to impose the penalty of 'written censure' vests with the President and cannot be delegated further. It shall be delivered confidentially to the errant staff member under the signature of the President or the Registrar in the capacity of the Provost (as provided under clause 3.5 of the NIIT University Statutes). A copy of the written censure shall also be placed in the personal file of the concerned staff member for an indefinite period.
- b) Temporary Reduction in Salary wherein the salary of the delinquent staff member shall be lowered by a specified amount for a specified period, keeping the designation unchanged, with the salary being restored to the prevailing level on completion of the period of penalty. The authority to impose the penalty of reduction in salary shall vest with the President and cannot be further delegated.

- c) Demotion/Permanent Reduction in Salary wherein the delinquent staff member shall be either demoted to a lower post in the hierarchy with a corresponding reduction in salary or his/her salary reduced to a lower stage on a permanent basis without change in post/designation. The authority to impose the penalty of reduction in rank/permanent reduction in salary shall vest with the Appointing Authority of the concerned employee, on the recommendation of the President or the Registrar (in the capacity of the Provost) respectively for Senior/Junior Staff, and cannot be further delegated.
- d) Suspension from Service wherein the errant staff member is suspended for a stated period from the continuance of his/her appointment at the University with complete loss of pay as well as all other normal privileges, including campus housing during the entire duration of the suspension from service unless continuance of any particular privilege is specifically allowed in the suspension order. The authority to impose the penalty of suspension from service shall vest with the Appointing Authority of the concerned employee, on the recommendation of the President or Registrar (in the capacity of the Provost) respectively for Senior/Junior Staff and cannot be further delegated.
- e) Dismissal from Service wherein the errant staff member shall be dismissed from University service on a permanent basis. The authority to impose the penalty of dismissal from service shall vest with the Appointing Authority of the concerned employee, on the recommendation of the President or the Registrar (in the capacity of the Provost) respectively for Senior/Junior Staff and cannot be further delegated.

14.3 More than one disciplinary penalty may be imposed for a single act of misconduct, for example, a written censure and suspension from service. In addition, to imposition of a penalty under the 'NU Staff Code of Conduct', the President shall be empowered to take appropriate administrative action on the errant staff member such as recovery of the whole or part of any pecuniary loss caused to the University or to a fellow member of the University community by negligence or breach of orders.

14.4 Individuals such as temporarily appointed staff, whose engagement with the University is only of a temporary nature, may be removed from University service for indulgence in a proven act of professional/personal misconduct irrespective of the severity of the misconduct.

14.5 The 'NU Staff Code of Conduct' pertains only to personal and professional misconduct. **STRIKES** by staff members of the University and the issues of **STAFF INCOMPETENCE/ GENERAL MISBEHAVIOUR OF A SOCIAL NATURE** are outside its purview. Such issues would need to be dealt with directly by the University's Executive Management/Leadership and BOM.

14.6 Besides the imposition of a penalty, as provided in sub-clause 15.1 (a) to (e), an errant staff member may be required to undergo **Counselling/Mentoring**, to be conducted by a senior member of the University faculty/staff or by a distinguished retired member of the University, so as to preclude, as far as possible, recurrence of the misconduct. Counselling/Mentoring may also be advised even if no penalty is proposed to be imposed. Counselling/Mentoring shall, however, not be construed as a penalty.

15. Investigation Procedure

15.1 Lodging of an Allegation of Professional Misconduct:

a) An allegation of professional misconduct under the 'NU Staff Code of Conduct' may be made by any member of the University community, the administrators, other staff and students. It should be lodged along with all supporting documents with the Registrar (in the capacity of the Provost) with a copy to the President for his/her information.

15.2 Appointment of the Investigation Officer:

a) On receipt of a complaint alleging staff misconduct under the 'NU Staff Code of Conduct', the Registrar (in the capacity of the Provost) shall, on the basis of documents on record, determine if there is probable cause to believe the occurrence of misconduct. In case it is determined that there is probable cause to justify disciplinary action, the Registrar (in the capacity of the Provost) shall file a formal charge against the accused and designate a senior faculty/staff member (from other than the Unit of the accused employee), as an Investigation Officer. The person so appointed shall be responsible to investigate the allegation and determine if the misconduct is established. In the event the Registrar (in the capacity of the Provost) considers the misconduct to be of a grave nature he may recommend to the President that a person from outside the University may be appointed as the Investigating Officer.

b) Secretarial/Clerical assistance shall be provided to the Investigating Officer by the office of the Registrar.

15.3 Conduct of the Investigation:

a) The inquiry into the alleged misconduct shall include examination of pertinent documents in support of the alleged misconduct and oral depositions of those making the allegation as well as the individual against whom the allegation of misconduct has been made. A record of the oral depositions shall be kept either in the form of recordings or written notes. Confidentiality to the maximum extent possible shall be maintained in the conduct of the investigation. The Investigating Officer shall report the findings of the investigation in writing within 60 days of

his/her appointment unless the Registrar (in the capacity of the Provost) determines that circumstances of the case warrant a shorter/longer period.

b) Prior to reporting a determination of misconduct to the Registrar (in the capacity of the Provost), the Investigation Officer shall notify the accused member his/her intention to report such a determination and the reasons thereof and invite the concerned staff member to reply to the determination within 7 working days of the receipt of the notice. Such notification shall be sent to the residence of the accused by registered mail. The accused staff member may reply either in writing and/or request for a personal discussion with the Investigating Officer. If the accused staff member requests for a personal discussion the proceeding of the discussion shall be kept in the form of a written transcript or a recording.

c) After the accused staff member has had an opportunity to reply to a determination of misconduct, the Investigation Officer shall submit a report of his/her findings to the Registrar (in the capacity of the Provost) enclosing therewith the documentary evidence presented by the individuals alleging the misconduct, the record of all depositions made and the written reply and/or recording of the discussion in response to the final notification of the Investigating Officer. Irrespective of a finding of guilt or otherwise, the Investigating Officer shall refrain from making any recommendation as to a possible penalty to be imposed.

16. Imposition of Involuntary Leave with Full/Partial Pay

a) The President may place a staff member, who is under investigation for alleged misconduct, under involuntary leave with full or partial pay for a stipulated period as may be decided by the President prior to the initiation of a disciplinary action, if it is found that there is a strong risk that the accused staff member's continued assignment to his/her regular duties or presence on the University Campus will cause immediate and serious harm to the University community or impede the investigation of his/her professional misconduct; or when a case of a crime or felony against him/her is under investigation or under trial in a court of law.

b) Provided, however, when an errant staff member is detained in custody of the police for a period exceeding forty-eight hours, whether in connection with a criminal offence or under any law, for the time being in force, providing for preventive detention, such a staff member shall be deemed to have been placed under involuntary leave with effect from the date on which he/she was so detained. In such an event the pay to be paid to the concerned staff member during the period of involuntary leave shall be in the form of a subsistence allowance, which may be decided by the President, based on the guidelines for subsistence allowance prescribed in the Central Civil Services Conduct Rules --- CCS (CCA) Rules.

17. Appeal Procedure

17.1 A staff member who is aggrieved by any order imposing a penalty under the 'NU Staff Code of Conduct' passed against him/her by the President/BOM, as the case may be, shall be entitled to prefer an appeal against the said order respectively to the BOM/Chancellor and there shall be no further appeal on the decision of the BOM or Chancellor.

17.2 No appeal under sub-clause 17.1 shall be entertained, unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order being appealed against. Provided, however, the Appellate Authority may entertain the appeal after the expiry of the above said period, if it is satisfied that the appellant has sufficient cause for not having submitted the appeal in time.

18. Record of Investigations and Imposition of Penalties

18.1 The entire record of an investigation, including the final order imposing the penalty, undertaken for alleged misconduct of a staff member under the 'NU Staff Code of Conduct' shall be maintained in the office of the Registrar (in the capacity of the Provost) as a confidential document.

18.2 A copy of the final order imposing a penalty for an alleged professional/personal misconduct shall also be placed in the personal file of the errant staff member. Furthermore, a Selection Committee/Internal Promotion Committee or a Performance Review Committee that considers the case of the concerned staff member for promotion or performance appraisal/review subsequent to the imposition of the penalty shall be advised, by the office of the Registrar (in the capacity of the Provost), of the imposition of the penalty when the case of the said staff member is under consideration.

19. Interpretation

19.1 The decision of the BOM on all questions relating to interpretation of any provision of the 'NU Staff Code of Conduct' shall be final.