

CHARTER ON LABOUR AND DISCIPLINARY RULES AT WESTERN CASPIAN UNIVERSITY

CHAPTER I. GENERAL PROVISIONS

Article 1. Objectives of the Charter

1.1. The objectives of the Charter (hereinafter referred to as the Charter), concerning the disciplinary and material liability of employees due to violations of labor and execution discipline and the procedures for applying these liabilities, are to ensure discipline to protect human and civil rights and freedoms, property, economic activity, public order and public safety, and the environment from unlawful act and to prevent legal violations.

1.2. To fulfill these objectives, the Charter defines the foundations and principles of disciplinary and material liability, the types of actions considered dangerous for the employee, the collective, and the University, as well as the types, extent, and scope of measures applied for such actions, and other related measures.

1.3. The provisions of this Charter apply to all University employees.

Chapter II. Disciplinary and Material Liability Measures and Their Implementation Procedures

Article 5. Concept and System of Disciplinary and Material Liability Measures

5.1. If an employee fails to fully or partially fulfill their job duties or performs them poorly, or violates job responsibilities and disciplinary rules set forth in the employment contract, one of the following disciplinary or material liability measures may be applied:

5.1.1. warning;

5.1.2. reprimand;

5.1.3. deduction from salary;

5.1.4. dismissal from position;

5.1.5. termination of employment.

5.2. If an employee commits a repeated offense within 6 months from the date of being held liable, this constitutes grounds for applying a more severe disciplinary measure.

5.3. When imposing disciplinary or material liability measures, the University administration must consider the employee's personality, reputation within the team, level of professionalism, the nature of the offense committed, and the following factors:

5.3.1. severity of the incident;

5.3.1. amount of damage caused;

5.3.1. circumstances and facts of the incident;

5.3.1. mitigating and aggravating circumstances of the liability measure;

5.3.1. whether the incident occurred intentionally or due to negligence;

5.3.1. personal characteristics of the employee;

5.3.1. causes and conditions that contributed to the incident.

5.1.1. Warning

It is a written warning issued to the University employee urging them to be more attentive in their work. A warning is applied in the following cases:

- 5.1.1.1. engaging in conduct or behavior inappropriate for their position;
- 5.1.1.2. rude behavior towards administration, students, or University staff during work hours;
- 5.1.1.3. interfering with the normal workflow;
- 5.1.1.4. engaging in unrelated work activities during work hours;
- 5.1.1.5. failing to respond timely to questions from authorized university officials without a valid excuse;
- 5.1.1.6. using the University's material-technical resources for personal purposes;
- 5.1.1.7. Failing to return or timely hand over officially assigned equipment, laboratory devices, and other technical materials to the responsible person after use;
- 5.1.1.8. smoking within the University premises.

5.1.2. Reprimand

A reprimand is a written notification to a university employee for violations committed in their duties or conduct. A reprimand is applied in the following cases:

- 5.1.2.1. Unauthorized entry into restricted areas of the university or its affiliated institutions, theft, opening others' postal or telegraphic correspondence, engaging in similar acts, or inciting others to do so;
- 5.1.2.2. Engaging in actions within or outside the country that damage the reputation of the University;
- 5.1.2.3. Causing significant harm to the legitimate interests of the University or its units due to gross errors committed during work;
- 5.1.2.4. Accepting gifts that may affect employees' independence—excluding gifts officially given by university administration—or failing to inform their supervisor about it;
- 5.1.2.5. Failing to address officially registered appeals from state bodies, public organizations, students, or other persons without a valid excuse;
- 5.1.2.6. Abuse of authority, negligence, and inattentiveness toward job responsibilities;
- 5.1.2.7. Violating labor safety rules due to actions (or inaction) that result in harm to coworkers' health or cause their death;
- 5.1.2.8. Engaging in activities or propaganda in favor of or against any political party within the university or its affiliated institutions;
- 5.1.2.9. Misusing the University's name outside the workplace;
- 5.1.2.10. Providing false information to supervisors or subordinates in relation to official duties;
- 5.1.2.11. Unjustified absence from meetings, assemblies, and other official events;
- 5.1.2.12. Providing information to the mass media on official matters without authorization, except for scientific debates and clarifications;
- 5.1.2.13. Failing to deliver or providing false or delayed information regarding the university or its institutions;
- 5.1.2.14. Organizing or assisting in organizing any events at the workplace without permission from the university administration;
- 5.1.2.15. Using force to remove employees or students from their positions or hindering their job execution, or inciting students to do so;
- 5.1.2.16. Providing paid lessons to employees, students, or others within the university or

affiliated institutions without permission;

5.1.2.17. Repeatedly smoking within the university premises.

5.1.3. Salary Deduction

Salary deduction is the withholding of a portion of the monthly salary of a university employee due to violations of duties or conduct. It is applied in the following cases:

5.1.3.1. Tardiness, early departure, or leaving the workplace without a valid excuse or permission;

5.1.3.2. Absence from work without a valid excuse or permission. For hourly-paid instructors, missing two class hours;

5.1.3.3. Gross negligence in the use, protection, or maintenance of material and technical infrastructure, or causing material damage to university property through action or inaction;

5.1.3.4. Losing official documents, equipment, or other irreplaceable university property.

5.1.4. Dismissal from Position

Dismissal from position is the removal of a university employee from their post due to violations in duties or conduct. This is applied in the following cases:

5.1.4.1. Abuse of authority, negligence toward job responsibilities;

5.1.4.2. Directly or indirectly soliciting or accepting gifts for personal gain;

5.1.4.3. Attending the workplace intoxicated or consuming alcohol, drugs, or toxic substances at work;

5.1.4.4. Disrupting peace and the normal workflow or organizing boycotts at the university or its affiliated institutions for ideological or political purposes;

5.1.4.5. Exhibiting rude behavior, discrimination, or violating equality toward employees, students, or others in the university and failure to eliminate such situations;

5.1.4.6. Deliberately disobeying orders or instructions issued by university administration;

5.1.4.7. Repeated unjustified absence from meetings, assemblies, and other events.

5.1.5. Termination of Employment

It is the university employee's dismissal from employment due to their misconduct. It is applied in the following cases:

5.1.5.1. Failing to attend work for two consecutive working days without permission or, even for valid reasons;

5.1.5.2. Failing to attend work for more than nine working days during the academic year without permission or notification, even for valid reasons;

5.1.5.3. Being intoxicated at work due to alcohol, drugs, or other substances;

5.1.5.4. Soliciting gifts directly or through others and accepting them for personal gain;

5.1.5.5. Forging documents, altering official documents, using falsified documents, or inciting others to do so;

5.1.5.6. Disrupting peace, normal workflow, or organizing boycotts at the university and its affiliated institutions for ideological or political purposes;

5.1.5.7. Displaying rude or discriminatory behavior toward employees, students, or others at university and failure to eliminate such situations;

5.1.5.8. Committing administrative or criminal offenses during work hours and at the workplace;

5.1.5.9. Deliberate breach of professional or commercial confidentiality and failure to fulfill the obligations of keeping this information confidential;

- 5.1.5.10. Forcing one or more employees to provide unlawful statements or submit false evidence, confess guilt without grounds through threats;
- 5.1.5.11. Deliberate disobedience of instructions and orders by university administration;
- 5.1.5.12. Assaulting superiors, subordinates, coworkers, or students;
- 5.1.5.13. Engaging in activities or propaganda in favor of or against any political party within the university or its affiliated institutions;
- 5.1.5.14. Smoking within the university premises despite warnings and reprimands;
- 5.1.5.15. Providing patronage to give any student an unfair advantage.

Article 6. Procedure for Applying Disciplinary and Material Liability Measures

- 6.1. The relevant department head must immediately inform the university leadership about any breach of labor or executive discipline. A written explanation must be obtained from the employee before imposing any disciplinary or material liability measure.
- 6.2. Regardless of whether the explanation is provided, an investigation must be conducted within 3 days or 7 days in special cases. The investigation is carried out by the employee's immediate supervisor in coordination with the University's Legal and HR Department.
- 6.3. All university employees must provide necessary information and documents to investigators. Failure to do so may lead to a separate investigation.
- 6.4. A Special Disciplinary Committee is formed for particularly complex cases. Its formation and composition are determined by the order of the Rector (Executive Vice-Rector).
- 6.5. Disciplinary and material liability measures may be imposed within one month from the date the violation is discovered. No disciplinary action can be imposed if more than 6 months have passed since the violation.
- 6.6. Disciplinary and material liability measures are issued in written form through an official order (directive, decree). The employee must be acquainted with the order within 3 days. The order must not include statements that humiliate the employee's dignity or honor.
- 6.7. The decision regarding disciplinary and material liability measures must include:
 - 6.7.1. Description of the violation of labor and executive discipline;
 - 6.7.2. Type of disciplinary and material measure imposed;
 - 6.7.3. Opinion of the Special Disciplinary Committee;
 - 6.7.4. Recommendation of the relevant unit head;
 - 6.7.5. Order date and number.
- 6.8. In cases specified in Articles 5.1.5.1 to 5.1.5.15, the employee may be suspended from duties till the investigation is over. Salary is not paid during the investigation.
- 6.9. Information about imposed disciplinary or material liability measures is recorded in the employee's personnel file.

Article 7. Authority to Impose Disciplinary and Material Liability Measures

- 7.1. Disciplinary and material liability measures can be imposed by the University Rector (Executive Vice-Rector) or the person temporarily performing his duties based on the relevant unit's submission or the opinion of the Special Disciplinary Committee.
- 7.2. Persons not mentioned in the first paragraph of this article are not authorized to impose disciplinary measures.

Article 8. Appeal Procedure for Disciplinary and Material Liability Measures

8.1. If the employee does not submit a complaint within 3 working days after being informed of the disciplinary or material measure, the decision becomes final.

8.2. The employee may submit an appeal within this period. Appeals are submitted directly to the Rector (Executive Vice-Rector), with a copy sent to the department head.

8.3. Upon receiving the appeal, an Appeal Commission is established by the Rector (Executive Vice-Rector) and an investigation is conducted within 5 working days. Those who participated in the initial investigation cannot be members of the Appeal Commission.

8.4. The Appeal Commission may uphold, cancel, or amend the decision regarding the disciplinary or material liability measure.

8.5. The decision of the Appeal Commission is final.

8.6. If the employee is not subjected to any disciplinary actions for one year after the initial measure, it is considered as if no disciplinary action was ever taken. For good work performance, the measure may be lifted early—after six months.

Chapter III. Final Provisions

Article 9. Implementation of the Charter

9.1. The Rector (Executive Vice-Rector) of Western Caspian University oversees the implementation of this Charter.

9.2. Amendments and additions to the Charter are discussed and approved by the University's Academic Council.

Article 10. Entry into Force of the Charter

This Charter enters into force on the date it is approved by the Academic Council of the University.