



الجامعة الإسلامية العالمية ماليزيا
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA
يُونَيْتِي إِسْلَامًا، إِنْتَارَ إِخْسَابًا مَلْدِسِيَا
(Company No 101067-P)

STAFF DISCIPLINARY RULES 2015

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INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

STAFF DISCIPLINARY RULES 2015

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INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA STAFF DISCIPLINARY RULES 2015

IN exercise of the powers conferred by article 40(1)(e) of the Constitution of the International Islamic University Malaysia, the Board of Governors of the International Islamic University Malaysia makes the following rules:

PART I PRELIMINARY

Citation

1. These Rules may be cited as the Staff Disciplinary Rules 2015 of the International Islamic University Malaysia.

Application

2. These Rules shall apply to a staff member throughout the period of his service, including periods during which he is on leave.

Interpretation

3. In these Rules, unless the context otherwise requires—

“Domestic Inquiry” means the tribunal established by the Staff Disciplinary Committee to carry out the disciplinary hearing;

“head of department” means a staff member who is a superior officer in relation to, and responsible for the work and conduct of another staff member or other staff members, and includes a staff member so designated by the Rector in relation to another staff member or other staff members;



“Board” means the University Authority established under article 3 of the Constitution of the International Islamic University Malaysia;

“Staff Disciplinary Committee” means the committee established under article 46 of the Constitution of the International Islamic University Malaysia;

“staff member” means any person employed under a contract of service with the University;

“teacher” means a person appointed as an academic staff by the Board in accordance with the Constitution of the University and includes a professor, academic fellow, associate professor, assistant professor, lecturer, Matriculation Teacher, and language teacher;

“University” means the International Islamic University Malaysia;

PART II

GENERAL DISCIPLINE

General conduct

4. (1) A staff member shall give his undivided loyalty and devotion at all times and on all occasions to the Yang di-Pertuan Agong, the Federation of Malaysia, the Government and the University. An international staff member must give his undivided loyalty and devotion to the University.

(2) A staff member shall at all times conduct himself in accordance with his Contract of Service with the University, disciplinary rules, code of ethics and other instructions, orders and procedures issued by the University from time to time that govern the staff member.



(3) In performing his duties, a staff member shall be—

- (a) diligent;
- (b) punctual;
- (c) honest;
- (d) trustworthy; and
- (e) responsible.

(4) A staff member shall conduct himself at all times in a manner which brings credit to the University. The staff member shall—

- (a) comply with the policies, rules, regulations and procedures of the University;
- (b) responsibly discharge his duties;
- (c) conduct himself with propriety and decorum at all times to reflect the good standing of the University;
- (d) at no time abuse his position or create any misunderstanding, divisions or factions amongst other staff members, but shall do his part to create a good working atmosphere;
- (e) refrain from any fraudulent or criminal act or conduct which may cause loss or damage to the property or reputation of the University;
- (f) faithfully and diligently perform his duties and promote the interests, welfare and image of the University; and
- (g) obey and comply with all reasonable and lawful orders and directives of the University;



General prohibitions

5. A staff member shall not—
- (a) conduct himself in such manner so as to place his personal interests into conflict with his duties to the University;
 - (b) conduct himself in such manner so as to cause the University to have reasonable grounds for believing that he has allowed his personal interests to conflict with his duties to the University;
 - (c) use his position as a staff member of the University for his personal benefit;
 - (d) conduct himself in such manner as is likely to bring the University into disrepute or to bring discredit thereto;
 - (e) bring or attempt to bring any form of outside influence or pressure to support or advance any claim relating to the staff member's service in the University, whether the claim is his individual claim, or that of another staff member, or a collective claim of staff members;
 - (g) be insubordinate or conduct himself in such manner as is likely to be construed as being insubordinate;
 - (h) at any time during his employment or after the cessation of his employment with the University, reveal any confidential or classified information concerning the University that he acquired during his employment with the University.
 - (i) enter into any agreement, undertaking, guarantee or promissory note which has the effect of binding the University without obtaining prior written approval from the Rector;



- (j) assist, encourage, incite, participate or express support or sympathy or do any act which could be construed as assisting, encouraging, inciting, participating or expressing support or sympathy to any staff member or student to contravene any provision of the Constitution of the University, or rules and regulations made by the University from time to time or any other written law whether relating to the University or otherwise; or
- (k) by his act or omission violates any provision of any written law, rules, regulations, orders and procedures whether within or outside the University.

Letter of undertaking

6. A staff member shall sign the Letter of Undertaking and shall adhere to the provisions of the said Letter of Undertaking.

University Dress Code

7. (1) A Staff member shall always be properly attired in such manner as may be specified by the University. The attire of the Muslim staff must cover the *aurah*.
- (2) A staff member who is required to wear a uniform or specific attire while performing his duties, must wear a uniform or the specific attire as specified by the University.

Outside employment

8. (1) Save where he is required in the course of his duty, or is expressly authorised in writing by the Rector, a staff member shall not—



- (a) engage either directly or indirectly in any other trade or employment, whether part-time, casual or on a consultancy basis;
- (b) undertake for reward any work for any institution, company, firm or private individual;
- (c) as an expert, furnish any report or give expert evidence, whether gratuitously or for reward; or
- (d) hold directorship in any company, firm, business or institution.

(2) Any authorisation granted under subrule (1) shall be subject to the condition that the staff member's duty to the University shall take priority over the matter in respect of which the authorisation is granted.

(3) Save as may be otherwise determined by the Rector, where any sum is received by a staff member by way of remuneration or otherwise in respect of any matter for which authorisation has been granted under subrule (1), the University may retain such portion thereof as may be payable to him under any provision relating to terms and conditions of service that may be applicable.

Disclosure of interest

9. A staff member shall disclose his interest to the University by stating the fact and the nature of his involvement in the affairs or business in which he or his family members have an interest with such affairs or business whether directly or indirectly.



Soliciting or accepting bribe

10. (1) A staff member shall not solicit or accept from any person for himself or for any person any bribe or gratification as an inducement or a reward for doing or forbearing to do any act in relation to the University affairs or business.

(2) For the purpose of this Rule, a bribe or a gratification includes any gift, payment, benefit or other advantage, pecuniary or otherwise, offered, given or received in order to secure an undue or improper result, award, decision, benefit or advantage of any kind.

Present, gift etc.

11. (1) A staff member shall not receive or give nor shall he allow his spouse or any other person to receive or give on his behalf any present, gift or bribe whether in a tangible form or otherwise, from or to any person, association, body or group of persons if the receipt or giving of such present is in any way connected, either directly or indirectly, with his official duties.

(2) The head of department may permit the collection of spontaneous contributions by staff members under his charge for the purpose of making a presentation to a staff member in his Department on the occasion of the staff member's retirement, transfer or marriage or any other appropriate occasion.

(3) In the event—

- (a) a staff member is in doubt as to whether the form, amount or value of a present/gift received by him commensurate with the purpose for which such present/gift is given; or
- (b) the circumstances make it difficult for a staff member to refuse a present or gift or token of value, the receipt of which is prohibited by these rules;



such present or gift may be formally accepted by the staff member who shall, as soon as practicable thereafter, submit to his head of department a written report containing a full description and the estimated value of the present or gift and the circumstances under which it was received.

(4) In the event such present or gift is received by a head of department, then he shall as soon as practicable thereafter submit a written report to the Rector containing a full description of the estimated value of the said gift and the circumstances under which it was received.

(5) No staff member shall receive, either directly or indirectly any present, gift, service or benefit whatsoever from any student or any relative of a student or from any person acting on behalf of any student or any relative of any student.

Provided that a staff member may receive a collective present or gift on an occasion which, is appropriate having regard to social etiquette or custom.

Declaration of property owned

12. (1) A staff member shall upon request from the University report to the Rector within a specified period determined by the University all property, belonging to him, his spouse or his child or held by any person on his behalf.

(2) Where after making a report under subrule (1), a staff member or a staff member's spouse or child acquires or disposes any property, either directly or indirectly, he shall report such acquisition to the Rector not later than three months after the acquisition.

(3) In this rule—

(a) “child” does not include a child who is married or who is not dependent on the staff member; and



- (b) “property” includes movable and immovable property of any description, including liquid assets, motor vehicles, shares, stocks, bonds, debentures, investments, jewellery, land, houses, buildings and interests in land, houses or buildings;

Borrowing money

13. (1) A staff member shall not borrow from any person or stand as surety to any borrower, or in any manner place himself under a pecuniary obligation to any person—

- (a) who is directly or indirectly subject to his official authority;
or
- (b) with whom the officer has or is likely to have official dealings.

(2) Notwithstanding subrule (1), a staff member may borrow money from or stand as surety to any person who borrows money from, any financial institution, insurer or co-operative society or incur debt through the acquisition of goods.

Financial losses to the University

14. It shall be a disciplinary offence if a staff member, who is in his employment caused financial losses to the University in the event he—

- (a) did not or has failed to collect any moneys owing to the University the collection of which he is or was responsible;
- (b) is or was responsible for any improper payment of moneys from the University or for payment of moneys not duly approved;



- (c) is or was responsible, directly or indirectly, for any deficiency in, or for any destruction of, any money, stores or other property of the University;
- (d) being or having been a staff member in charge of finance who did not or has failed to keep or monitor proper accounts or records of the University
- (e) did not or has failed to make any payment, or is or was responsible for any delay in the payment of moneys from the University to any person or any party to whom the payment is due under any law or under any contract, agreement or arrangement entered between that person or party and the University.

Serious pecuniary indebtedness

15. (1) A staff member shall report to the Rector his serious pecuniary indebtedness as soon as it occurs and if he fails to do so, he shall have committed a disciplinary offence.

(2) A staff member who in his report under subrule (1) fails to disclose the full extent of his indebtedness or gives a false or misleading account thereof shall be guilty of a disciplinary offence.

(3) For the purpose of this rule “serious pecuniary indebtedness” means a case—

(a) where the staff member is a judgment debtor and the judgment debt has not been settled within one month of the date of the judgment; or

(b) where the staff member is an undischarged bankrupt.



Gaming, wagering *etc.*

16. No staff member shall organize, run or assist in organizing, managing or running, or participate in any gaming, wagering or betting within or outside the University.

Unlawful and improper content

17. No staff shall create, transmit, have in his possession, publish, distribute, circulate or broadcast any information or materials, etc. via electronic, radio frequency, programme, software, system or otherwise that are in the opinion of the Disciplinary Authority is immoral or against any of these Rules.

Publication of confidential or classified information.

18. A staff member shall not publish or write any book, article or any other work, which is based on classified or confidential information received by him from or through the University or otherwise in his capacity as a staff member.

Prohibition against plagiarism and unethical academic conduct

19. (1) A staff member shall not plagiarize the intellectual property of another person.

(2) For the purpose of this Rule, a staff member commits plagiarism or unethical academic conduct when he—

- (a) publishes, with himself as the author, an abstract, article, paragraph, statement, scientific or academic paper or book which is wholly or partly written by any other person;



- (b) incorporates himself or allows himself to be incorporated as a co-author of an abstract, article, scientific or academic paper, or book, when he has not at all made any written contribution to the abstract, article, scientific or academic paper, or book at all;
- (c) forces another person to include his name in the list of co-researchers for a particular research project or in the list of co-authors for a publication when he has not made any contribution which may qualify him as a co-researcher or co-author;
- (d) extract academic data which are the result of research undertaken by some other person, such as laboratory findings or field work findings, or data obtained through library research, whether published or unpublished, and incorporates those data as part of his academic research;
- (e) uses research data obtained through collaborative work with some other person, whether or not that other person is a staff member or a student of the University, as part of another distinct personal academic research of his, or for a publication in his own name as sole author, without obtaining the consent of his co-researchers prior to embarking on his personal research or prior to publishing the data;
- (f) transcribes the ideas or invention of others kept in whatever form whether written, printed or available in electronic form, or in slide form or in whatever form of teaching or research apparatus, or in any other form and claims whether directly or indirectly that he is the author or inventor of that idea or invention or intellectual property;



- (g) translates the writing or invention of another person from one language to another whether or not wholly or partly and subsequently presents the translation in whatever form or manner as his own writing or invention; or
- (h) extracts ideas from another person's writing or invention and makes certain modifications without due reference or acknowledgement to the original source and rearranges them in such a way that it appears as if he is the inventor or those ideas.

Prohibition of public statements

20. (1) A staff member shall not, either orally or in writing or in any other manner, make any public statement in relation to any matter, or circulate any such statement whether made by him or any other person, where such statement would be detrimental to such policies or decisions or to the University.

(2) For the purposes of this rule "public statement" includes any statement made in a public discussion and any statement or comment made to the press, or the public in the course of any lecture or speech, or in any broadcast by sound or vision.

(3) Nothing in this Rule shall be construed as—

- (a) preventing a staff member from making a statement on an academic matter whether or not it relates to his research or study; or
- (b) preventing a staff member from expressing himself on an academic matter in an academic seminar, symposium or similar occasion.



Provided that the making of such statement is not contrary to the interests or the good name of the University.

Restriction on political publication

21. A staff member shall not act as the editor of, or take part directly or indirectly in the management of, or in any manner make financial contributions to any publication of a political nature, including any newspaper, magazine or journal of a political organization.

Restriction on political activities

22. (1) A staff member shall not take an active part in political activities.
- (2) A staff member shall not—
- (a) wear an emblem of any political party;
 - (b) make any public statement, whether orally or in writing, that would convey a partisan view on any matter which is an issue between political parties;
 - (c) publish or circulate any material setting forth his partisan views or the views of other persons, on any matter pertaining to any political party;
 - (d) engage in canvassing in support of any candidate at an election to the Dewan Rakyat or to any State Legislative Assembly or any election to any office in any political party;
 - (e) act as election agent or a polling agent or in any capacity for or on behalf of a candidate at an election to the Dewan



Rakyat or to any State Legislative Assembly;

- (f) stand for election for any post in any political party; or
- (g) hold any post in any political party.

(3) Notwithstanding with subrule (1), a staff member who has been granted leave until the date of his retirement for the purpose of finishing his accumulated leave may participate in political activities if—

- (a) he has obtained the prior written approval of the Rector to do so; and
- (b) by being so engaged he does not contravene the provisions of the Official Secrets Act 1972.

(4) An application for approval under subparagraph (2)(a) shall be made not later than three months before the date the staff member is allowed to go on leave prior to retirement.

(5) Nothing in this rule shall preclude a staff member from being an ordinary member of any political party.

Duty to exercise disciplinary control and supervision

23. (1) It is a duty of every staff member to exercise disciplinary control and supervision over his subordinates and to take appropriate action for any breach of the provisions of these Rules.

(2) Any staff member who fails to exercise disciplinary control and supervision over his subordinates, or to take action against his subordinate who breaches any provisions of these Rules shall be deemed to have been negligent



in the performance of his duties and to be irresponsible, and he shall be liable to disciplinary action.

Absence without prior leave

24. (1) Absence without prior leave or permission shall be a disciplinary offence.

(2) For the purpose of this rule, “absence” includes failure to be present for any length of time whatsoever, at a time and at the place where the staff member is required to be present for the performance of his duties and functions as a staff member in the normal course of such performance.

(3) Notwithstanding subrule (1), where the circumstances of the absence are such that they do not permit prior leave or permission being obtained and there is reasonable cause or excuse for the absence, the leave or permission may be given subsequent to the absence, provided that the staff member has taken all reasonable steps to notify the Head of Department of his absence as soon as practicable.

Duty to inform if charged or convicted

25. Where a staff member is charged or convicted in any criminal proceedings, he shall notify the fact of the charge or conviction to the Rector together with all relevant particulars in respect of the charge or conviction, failing which he may be subject to disciplinary action.



PART III

DISCIPLINARY PROCEEDINGS

Opportunity of being heard

26. In all disciplinary proceedings by the University, no staff member shall be subject to disciplinary action unless he has been informed in writing of the alleged disciplinary offence and has been given a reasonable opportunity of being heard.

Right to suspend

27. (1) The University may suspend a staff member under this rule pending an inquiry into the alleged breach of discipline by the staff member.

(2) The period of suspension will depend on the reasonable time required to carry out an investigation and conclude the inquiry into the alleged breach of discipline.

(3) A staff member who is suspended under this rule may be placed on half pay of his basic salary and allowances for a period not exceeding 14 days.

Provided that if the inquiry does not disclose any misconduct on the part of the staff, the University shall restore to the staff the full amount of the basic salary and allowances so withheld.

Attendance before the Domestic Inquiry

28. (1) Where a staff is alleged to have committed a disciplinary offence under these Rules, the disciplinary authority may summon the staff to appear before the Domestic Inquiry.



(2) If the staff fails to appear before the Domestic Inquiry on the date, time and place as specified without any reasonable justification, the Domestic Inquiry may proceed with the inquiry in his absence and he shall be bound by the findings of the Domestic Inquiry.

(3) The Domestic Inquiry shall conduct a hearing and recommend its findings to the Staff Disciplinary Committee.

(4) The Staff Disciplinary Committee shall decide whether to accept, vary, or decline the recommendation made by the Domestic Inquiry.

PART IV PUNISHMENT

Disciplinary punishment

29. A staff member who is found guilty of a disciplinary offence shall be liable to any one or more of the following:

- (a) written warning;
- (b) suspension without pay for period not exceeding fourteen days;
- (c) denial of annual salary increment;
- (d) reduction of salary point;
- (e) demotion;
- (f) dismissal;
- (g) recovery of any financial losses; and
- (h) any other order as the Staff Disciplinary Committee deems fit.



Record of disciplinary punishment

30. Every punishment imposed under these Rules shall be recorded in the staff member's record of service.

PART V APPEAL

Notice of appeal

31. (1) Any staff who is dissatisfied with the decision of the Staff Disciplinary Committee under rule 29 may within fourteen days from the date of the decision, submit an appeal in writing to the President.

(2) The appeal shall clearly set out the grounds of appeal.

PART VI GENERAL

Service of notice, document, etc.

32. (1) Every staff member shall furnish to the Executive Director in-charge of management services an address which shall be his address for the purpose of serving on him any notice or document whatsoever under these Rules or for the purpose of communication with him in any matter in relation to these Rules.

(2) Any notice, document or communication which is served personally or left at or posted to or sent by any other reasonable means to the last known address for service supplied under subrule (1) shall be deemed to have duly served on or communicated to the staff member.



Power to amend or impose new rules

33. Notwithstanding the above rules, the University may, from time to time amend, alter, revise, vary or introduce new rules at the absolute discretion of the Board.

Made this 26th May 2015

Made this 26th *Sha'ban* 1436H

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Tan Sri Dato' Seri Utama Dr. Rais Yatim
Chairman of the Board of Governors
International Islamic University Malaysia