



**UNIVERSITY OF  
KYRENIA  
DISCIPLINARY  
REGULATIONS**

**Objective**

**Article-1** The purpose of this Regulation is to regulate the establishment and working principles of the Disciplinary Board Presidency established for the employees of University of Kyrenia, Dr. Suat GÜNSEL University of Kyrenia Hospital and Dental Hospital, the appointment of the Chairman and Members of the Board, the acts and situations requiring disciplinary penalties, the types of disciplinary penalties, the procedures and principles of implementation, and the principles of rewarding related to the issues discussed.

**Scope**

**Article-2** This regulation covers the disciplinary offences, disciplinary penalties, supervisors authorised to impose penalties, disciplinary boards, disciplinary investigations, objections to disciplinary penalties and the principles regarding the implementation of penalties for academic and administrative staff.

**Responsible for**

**Article-3** Covers the personnel working within the university and affiliated hospitals.

**Definitions**

**Article-4** The definitions of the concepts and terms used in this regulation are as follows.

University Hospitals	:	University of Kyrenia, Dr Suat Günsel University of Kyrenia Hospital and Dental Hospital,
Board of Directors	:	University of Kyrenia Board of Directors,
Rector	:	Rector of the University of Kyrenia,
Dean/Director	:	University of Kyrenia Faculties
Chief Physician	:	/ School / Vocational School Deans and Directors, Dr. Suat Günsel Chief Physician of Kyrenia University Hospital,
Staff	:	Staff of any status who have worked or are currently working at University of Kyrenia and Dr Suat Günsel University of Kyrenia Hospital,
Board	:	Disciplinary Board,
File	:	Investigation and investigation reports based on the decision of the Disciplinary Board and other various documents,
Service Unit	:	Rectorate and all Academic and Administrative Units under the Rectorate, Deanships and all Academic and Administrative Units under the Deanships, All Medical, Administrative and Technical Units under the Hospital Chief Physician,
Regulation	:	Disciplinary Regulation.

## **Chairmanship and Working Principles of the Disciplinary Board Article-5 5.1.**

The Presidency of the Disciplinary Board includes the Board consisting of the Chairman and Members of the Disciplinary Board.

### **5.2. Disciplinary Board**

The Disciplinary Board consists of at least three (3) original and one (1) substitute member.

The Chairman and Members of the Board, disciplinary discipline with a minimum title of Unit Manager in the Senior Management

The Rector is appointed from among the personnel who have not received any penalty with the approval of the Rector.

Substitute members are appointed upon the proposal of the Chairman of the Disciplinary Board and with the approval of the Rector.

The Board is authorised to take deterrent, preventive and corrective measures against the personnel in order to ensure that the procedures and responsibilities specified and/or required by all kinds of written sources regulating the services and transactions of the workplace are fulfilled in accordance with the ethical rules and legal regulations and to impose the penalties stipulated by this regulation.

The Disciplinary Board is obliged to carry out its work in confidentiality and to be objective, impartial and independent in its decisions.

Board Members are obliged to keep confidential the information they learnt due to their duties.

## **Principles Regarding Meetings and Decisions**

**Article-6** The Chairman of the Board shall ensure that the files submitted to the Board are distributed to the Members for examination, the date and time of the meeting are determined, the Board's work is duly carried out and concluded, the decisions are submitted for approval and notified to the relevant parties.

After examining and evaluating the files entrusted to them together with their annexes, the Board Members finalise them within the prescribed period and in the prescribed manner in order to be included in the agenda of the Board meeting for discussion.

Members of the Board cannot attend the Board meetings related to the affairs of themselves, their spouses, their relatives by blood or marriage, including second degree, or the personnel they are investigating.

The Disciplinary Board convenes with the participation of the Chairman and at least two (2) members. In cases where the meeting quorum is not met, one of the substitute members shall attend the meeting. In the absence of the Chairman, the member deputised shall chair the meeting. Those attending the meeting have one vote.

The decisions of the Disciplinary Board are taken by the absolute majority of the total number of members attending the meeting. No abstention is allowed in voting. The member who disagrees with the majority decision shall write the opposing opinion under the decision. In case of equality in voting, the decision of the side where the Chairman is present is valid. The Disciplinary Board decides on the file submitted to it within 1 week.

In cases where the examination and investigation file is returned, the decision periods start from the date the file is sent back to the Disciplinary Board.

### **Disciplinary Action**

**Article-7** Disciplinary penalty; It refers to the sanction applied to the personnel who act erroneously or defectively in the fulfilment of the activities of the University and affiliated hospitals within the framework of the principles and rules determined in the provisions of laws, decrees, regulations, regulations, circulars and other legislation, due to these acts, actions and attitudes, according to the nature and severity of the act.

### **Types of Disciplinary Penalty**

**Article-8 a) Warning:** It is to notify the personnel, who is determined to be faulty in his/her duty and behaviour, that he/she should be more careful in writing by the unit supervisor/manager/dean/director in writing and / or verbally by indicating the faults. The warning penalty is given only once. Personnel who commit any offence that requires a warning penalty for a second time are punished with reprimand.

b) **Reprimand** The penalty of reprimand is given only once. It is notified in writing by the unit manager/director/dean/director to the personnel who are found to be defective in the performance of the duty and in their behaviour, by specifying the type of behaviour.

c) **Change of Position and Title Penalty:** It is the change of the place of duty and title of the personnel with the decision of the Disciplinary Board.

d) **Deduction from Salary** It defines the deduction from the salary of the salary of the personnel who are found to be seriously defective in their duties and behaviours, taking into account the severity of the act, at least the amount equivalent to 3 days' salary, in the month in which the decision is made. Personnel who are suspended are not paid salary for the days they are penalised.

e) **Suspension Penalty:** It is the temporary suspension of the personnel from work for the period decided by the Disciplinary Board.

f) **Dismissal:** It is the termination of the employment contract of the personnel in order not to be employed in the University and affiliated hospitals again and dismissal from the institution. After receiving the "**Personnel Disciplinary Record Form**" explaining the incident, the unit supervisor/manager/dean/director to whom the personnel against whom a criminal complaint is made receives the "**Personnel Disciplinary Record Form**" explaining the incident, and if the nature of the offence committed is appropriate, he/she uses his/her discretion and gives the relevant personnel a

**"Warning Penalty"** and sends the record form to the Human Resources Directorate to be filed or refers the incident to the Disciplinary Board through the Human Resources Directorate.

The unit supervisor, Chief Physician, Dean's Office, Directorate has the authority to dismiss the relevant personnel from duty until the matter is finalised by the Disciplinary Board, taking into account the nature and/or seriousness of the incident.

### **8.1. Warning Penalty**

The acts and conditions that require a warning penalty are as follows:

- a) To act improperly in the full and timely execution of the orders and duties given, in the fulfilment of the procedures and principles determined in the University and affiliated hospitals, in the protection, use and maintenance of documents, tools and equipment related to the task.
- b) Arriving late for duty, leaving early, leaving the place of duty, or engaging in work incompatible with his/her duty during working hours without apology or permission.
- c) To make unlawful applications and complaints personally or through persons from within or outside the University and affiliated hospitals, to overcome the authority to be applied during the submission of complaints and wishes without a valid reason, to mediate transactions for this purpose.
- d) Being the subject of a complaint for non-payment of debts without a justified reason.
- e) Using disrespectful expressions in correspondence related to his/her duty.
- f) Not getting along with unit mates and not harmonising with the working harmony in the workplace.
- g) Keeping his/her supervisor, colleagues, students, patients, suppliers and personnel working in other units waiting and not paying enough attention to them without a valid reason.
- h) Failure to comply with the rules of dress and grooming set out in the Personnel Regulations.
- i) Failure to comply with the savings measures determined in the institution.

### **8.2. Reprimand Penalty**

The acts and conditions that require reprimand are as follows:

- a) To use the tools, equipment and similar items belonging to the institution for private affairs,
- b) Disrespect towards colleagues and superiors, offensive behaviour, incompatibility, quarreling and provocative behaviour, disrupting the working order and peace,
- c) Losing or causing damage to official documents, tools, equipment and similar items belonging to the institution and scientific documents that cannot be replaced,
- d) Continuously objecting and obstructing the workflow instead of fulfilling the orders and tasks given,
- e) Showing indifference or behaving indifferently or negligently towards his/her duties or his/her employers,
- f) Acting contrary to the principle of co-operation in the performance of duties,
- g) Acting in a manner and behaviour that is against general morality and

decency within the institution and writing articles of this content,

h) To make it a habit to cause legal prosecution by deliberately not paying their debts,

g) To use the staff working under his/her command in his/her personal affairs,

i) Exercising powers not granted by the authorised bodies of the institution without any malicious intent,

i) Engaging in work that is not related to his/her duty during working hours,

j) A disciplinary infringement that would warrant a second warning penalty will directly lead to a reprimand.

k) Behaving rudely, disrespectfully and offensively to his/her supervisor, colleagues or personnel under his/her management at work; discriminating between students, patients and personnel with various ulterior motives in the performance of his/her duties.

l) Not showing the necessary and sufficient care in the management and supervision of the personnel under his/her management, leading to the emergence of an environment conducive to irregular transactions.

m) Damaging the image and reputation of the University and affiliated hospitals as a result of negative behaviours and habits.

n) Failure to submit/submit the information and documents requested by the authorised and relevant University and affiliated hospitals personnel and the competent authority outside the University and affiliated hospitals within the prescribed period without a justified reason.

o) Failure or refusal to notify the orders for change of duty station and position without a valid reason.

p) Letting someone else use the password given to his/her responsibility or making transactions with someone else's password.

r) Failure to participate in work when it is necessary to work together.

s) Making a habit of arriving late for duty, leaving early, leaving the place of duty or engaging in activities incompatible with his/her duty during working hours without excuse or permission.

t) Absence from duty for one working day without leave or apology,

u) Failure to return documents, tools, equipment and similar items related to the duty despite the termination of the duty.

v) Using the effectiveness of his/her title and duty, instructing the personnel under his/her management to carry out works and transactions contrary to the law and legislation.

y) Failure to fulfil the instructions given on any subject, in accordance with the procedures and legislation, without a valid reason.

z) Acting in a manner that disrupts and prevents the work required by the investigations.

aa) Giving information and statements to media organisations about the University and affiliated hospitals without being authorised to do so.

bb) Borrowing money or borrowing money from loan sharks or employees by gambling, drinking, addiction to various narcotic substances or by spending more than the income other than the normal flow of life.

### **8.3. Penalty for Change of Position and Title**

The acts and conditions that require the penalty of Change of Duty Place and Position are as follows:

- a) Inability to work in harmony with colleagues at the workplace.
- b) Inability to work in harmony with the work unit supervisor at the workplace.
- c) Change of duty station as a precautionary measure against possible problems experienced and to be experienced with the unit supervisor.
- d) In cases of incompatibility with the work at the place of assignment.
  
- e) In cases where it is determined by the Disciplinary Board that the disciplinary offence committed is incompatible with the duty he/she is carrying out, both the title and the place of duty may be changed together.

### **8.4. Suspension Penalty**

The acts and conditions that require suspension are as follows:

- a) Displaying attitudes and behaviours unbecoming of personnel behaviour in and out of service.
- b) Deliberately delaying orders and duties.
- c) Making false denunciations and complaints about colleagues, and making mischief.
- d) Unexcused absence from duty for two days within one month.
- e) Deliberately making mistakes in the written information, reports and documents requested by his/her superiors in relation to his/her duty and misleading his/her superiors.
- f) Encouraging the staff of the institution to make collective applications and complaints,
- g) Committing any offence defined as a misdemeanour by the Criminal Code and punishable by up to one year imprisonment within the University of Kyrenia and affiliated hospitals.
- h) In the case of a disciplinary offence that requires a second salary deduction, the penalty of suspension shall be direct.
- i) Suspension is imposed directly for medical offences that require suspension and disciplinary violations that require suspension.

In case of an offence specified in the "Temporary Suspension from Profession" specified in the "Code of Medical Professional Ethics" of the Turkish Cypriot Medical Association, a direct "Suspension Penalty" is given.

## **8.5. Salary Deduction Penalty**

The acts and situations that require the penalty of salary deduction are as follows:

**As stated in Article 25, paragraph 5 of the Labour Law, wage deductions can be made for a maximum of 3 days per month.**

- a) Continuously carrying out risk-inducing work or transactions.
- b) Deliberately disrespecting superiors and disobeying their orders.
- c) Deliberately giving false information to his/her superiors or hiding the matters that should be notified, causing the University and affiliated hospitals to disrupt the work of the University and affiliated hospitals or causing damage to the University and affiliated hospitals.
- d) Printing, reproducing, hanging, distributing and propagandising political leaflets, posters, banners etc. in the university and affiliated hospitals.
- e) To ill-treat third parties and colleagues who have a relationship with the organisation.
- f) Actually, attacking colleagues, patients and students within the University and affiliated hospitals or during the duty, threatening with weapons, wounding, lethal instruments or taking action.
  
- g) Causing material and moral damage to their superiors, colleagues or personnel under their command by deliberately making false reports and complaints.
- h) Disclosing corporate confidential information related to his/her duty to his/her colleagues or people around him/her without malicious intent.
- i) Failure to pay the rights of ration owners on time without a justified reason.
- j) To cause damage to the organisation due to carelessness and imprudence in their work (in this case, the damage will be paid separately).
- k) Deliberately causing disruptions in the work related to various activities such as boards, commissions, committees, etc., to which he / she is assigned other than his / her main duty.
- l) Making collective applications and complaints,
- m) A disciplinary infringement warranting a second reprimand is a direct penalty of salary deduction.
- n) Except for disciplinary violations requiring "Salary Deduction Penalty", those who commit the offence of unwarranted or inappropriate comments and falsifications made on patient records or other official documents, which damage the quality of the hospital's care service or distort the records of doctors and nurses and go beyond the hospital procedures, are directly punished with salary deduction.



## **8.6. Dismissal Penalty**

**As stated in Article 15, Paragraph 1 of the Labour Law, the employer has the right to terminate the employee without notice if the employee is absent from work for three (3) consecutive days without an excuse or for a total of three (3) days in a month.**

- a) Embezzling money or money substitute documents or bills or other property, the possession of which has been transferred to him due to his duty or which he is obliged to protect and supervise, by himself or by someone else.
- b) Forging a document that he/she is authorised to issue due to his/her duty; changing, destroying or concealing a real document in a way to deceive others; causing damage to the University and affiliated hospitals by issuing a document contrary to the truth or processing a document that he/she knows is forged.
- c) To deceive the employees and suppliers of the University and affiliated hospitals, patients and students with fraudulent behaviours and to provide a benefit to himself or someone else at their expense.
- d) To take a movable property belonging to the University and affiliated hospitals from its location in order to provide a benefit to himself or someone else.
- e) Except for the above-mentioned cases, to act contrary to the requirements of his duty or to cause the University and affiliated hospitals or suppliers, patients and students to suffer or to provide unfair gain to someone else by showing negligence or delay in performing the requirements of his duty.
- f) Providing benefits to oneself or another person in order to make him/her act in accordance with the requirements of his/her duty.
- g) To enter the whole or part of the information system of the University and affiliated hospitals, to capture, use, transfer or reproduce, partially or completely destroy, disrupt, modify, change, delete, place data in the system in order to harm someone else, to benefit himself or someone else in an unlawful manner,

to prevent access to data in the system, to prevent the system from functioning or to make it function incorrectly.

- h) To disclose the secrets of the University and affiliated hospitals and their suppliers, patients and students in order to benefit himself/herself or someone else and/or for any purpose, to disclose confidential documents and information belonging to the personnel to persons who are not related to them in order to use them in favour of or against himself/herself or someone else.
- i) To cause damage to the University and affiliated hospitals or to cause a significant amount of possible damage to occur with its continuous risk-generating business or transactions.
- i) Deliberately failing to report or covering up corruption within the University and affiliated hospitals.
- j) Causing the University and affiliated hospitals to incur losses by rigging the purchase and sale, auction and auction works.
- k) Drinking alcohol, using drugs, gambling or gambling at the workplace or coming to work drunk.
- l) Making false statements that may harm the honour and reputation of his/her superiors or colleagues, or making unfounded reports and complaints that offend honour and dignity with the intention of defaming them.
- m) Absence or absence from work for three consecutive working days or five working days within a year or three times within a year on the working day following any holiday without leave or excuse.
- n) Disrupting the peace, tranquility and working order of the University and affiliated hospitals, participating in actions such as boycott, occupation, blocking, slowing down work, or collectively absenting from duty for these purposes, encouraging and inciting these activities.
- o) Violating the relevant articles of the Labour Law that entitle the employer to terminate without notice.
- ö) Making a habit of coming to work late and leaving early, negligence in protecting the property of the institution, disrespectful behaviour towards those who have business relations with the institution.
- p) Disclosing or distributing information and documents related to his/her duty to the press without the permission of his/her superiors.
- r) Sexual harassment of staff and other employees, patients and students of the University and affiliated hospitals.
- s) Misleading the University and affiliated hospitals by claiming that he/she has the qualifications or conditions required for one of the essential points of the contract at the time of job application, commencement of employment and execution of the employment contract, or by providing information or documents that are not in accordance with the truth.
- ş) Being punished by the court for an offence committed at the workplace.
- t) Committing a disgraceful offence and being sentenced by the Court for this offence.
- u) It becomes impossible for him/her to fulfil his/her duties due to reasons such as arrest, imprisonment or being banned from working.
- ü) Performing one of the behaviours that require immediate and/or unannounced termination of the employment contract as stipulated in the TRNC Labour Law.
- v) Absence from duty for two days without apology and without interruption and/or three days within a month.
- y) Asking for a gift or gratuity for a job that he/she has to do as part of his/her duty.
- z) Making a habit of using powers not granted by the authorised bodies of the institution.

- aa) Deliberately failing to provide the information and documents requested for inspection and investigation, bb) Showing disrespect to his/her supervisor on duty or verbally or physically attacking or insulting his/her colleagues or patients / patients' relatives.
- cc) Engaging in trade, art and similar works carried out on behalf of himself/herself or someone else without the permission of the authorities of the Institution to the extent of disrupting his/her duty, and continuing these works despite repeated warnings.
- dd) Destroying the documents in his/her possession or giving them to others without authorisation and falsifying the documents.
- ee) Deliberately misrepresenting the letters and declarations issued on behalf of the institution. ff) Political and ideological activities within the institution and in places related to the institution.
- gg) In the event of a second disciplinary offence requiring a second suspension, the penalty of dismissal shall be direct dismissal.

### **Similar states and actions**

**Article-9** For the acts that require disciplinary penalties to be applied to the personnel but are not included in this Regulation, disciplinary penalties belonging to similar acts in terms of their quality and severity shall be given.

### **Repetition**

**Article-10** In the event that the personnel commits an act which has caused a disciplinary penalty to be imposed on him/her again within one year following the date of notification of the penalty, the penalty one degree heavier than the penalty required by the act shall be applied this time.

### **Principle of Uniqueness of Penalties**

**Article-11** Personnel who are found to have committed more than one offence within the scope of the same investigation shall be imposed a single penalty, which is the most severe of these penalties, instead of imposing separate penalties for each act subject to the offence.

While it was possible to be evaluated within the scope of a previous investigation, no disciplinary penalty shall be imposed again for an act of the same nature, which was excluded from the scope of the investigation in any way, but which later became the subject of an investigation in some way.

### **Termination of Labour Contract**

**Article-12** Within the scope of the files discussed in the agenda of the Board, it may be decided to recommend the termination of the employment contract by paying the legal rights of the personnel who are not deemed appropriate to continue working at the University and affiliated hospitals due to the negativity and inadequacy seen in their work and behaviour or various possible risk-causing inconveniences, although their actions do not require the punishment of dismissal.

### **Change of Position and Title**

**Article-13** Within the scope of the files discussed in the agenda of the Board; it may be decided to propose a change in the place of duty and/or the field of duty and title of the personnel who are seen to have existing or possible negativities in

terms of their colleagues and their relations, as well as in terms of their working

area and working conditions, or who are understood to provide a more efficient working performance.

### **Warning Notice**

**Article-14** Within the scope of the files discussed in the agenda of the Board; "Warning Notification" is sent to the personnel whose actions do not require disciplinary punishment, but who are deemed necessary to be warned in order to be more careful and attentive in their duties or behaviours, but not in a punitive nature.

### **Financial Responsibility**

**Article-15** Financial responsibility is the partial or full compensation of the damage and the deprived return or other losses, according to the nature and severity of the act, from the personnel who knowingly, willingly and unfairly cause damage to the University and affiliated hospitals and their suppliers, patients and students in the fulfilment of the activities of the University and affiliated hospitals within the framework of the provisions of laws, decrees, regulations, by-laws, regulations, circulars and other legislation and the principles and rules determined by the University and affiliated hospitals customs, in compliance with the issues that are obligatory to comply with. In cases where there is no violation of the legislation at the time of the transaction, financial responsibility is not sought due to the negativities that may occur in the following process.

### **Considerations in Determining Financial Responsibility**

**Article-16** In holding the University and affiliated hospitals and their suppliers and personnel liable for any damage that is certain or highly probable for patients and students;

- a) The type, nature and process of the transaction and action resulting in damage to the university and affiliated hospitals,
- b) The share and effectiveness of the direct and indirect role of the relevant personnel in the realisation of the action,
- c) Whether there is a situation of using initiative in the transaction and action,
- d) The material and moral importance of the damage caused by the action within the University and affiliated hospitals,
- e) Whether it is possible to detect and recognise the methods used in the transactions by simple inspection or observation,
- f) The attitude and behaviour of the personnel whose responsibility will be determined until the date of the incident, their past success and performance, and their opinions and convictions about themselves.

### **Procedures and Principles Regarding Financial Liability Amount and Compensation**

**Article-17** The damages of the University and affiliated hospitals arising from the unfair action shall be compensated from the responsible personnel in the following ways, taking into account the type and nature of the action and transaction, the size of the damage incurred and the statute of limitations.

- a) In the act of embezzlement, the personnel who personally committed the act shall be held responsible for the entire loss incurred; the personnel who have various forms of negligence and fault in the occurrence and continuation of the act, together with the actual perpetrator, shall be held responsible for a certain proportion of the loss incurred. It is taken into consideration as the

amount based on liability. For the damages incurred by the University and affiliated

b) hospitals as a result of various other transactions and actions, the personnel who are found to be at fault on the basis of the type, nature and manner of occurrence of the transaction and action are held responsible for some or all of the damages incurred, depending on the state of fault.

### **Operational Risk**

**Article-18** Within the scope of the files discussed in the agenda of the Board; if the loss of the University and affiliated hospitals cannot be recourse to the personnel or there is no aspect that requires personnel responsibility; as well as if there is no legal justification for claiming from third parties, it may be decided to recommend to the relevant authority to transfer the loss of the University and affiliated hospitals to the expenses of the University and affiliated hospitals by accepting the operating risk, according to the authorisation limit.

### **Reward and Reward Types**

**Article-19** Within the scope of the matters referred to the Disciplinary Board, the following awards may be given to the personnel deemed appropriate.

- a) **Certificate of Appreciation: It is** a specially prepared document bearing the signature of the Rector and/or the Chief Physician and the Chairman of the Disciplinary Board, which includes the works and transactions, attitudes and behaviours of the personnel subject to thanks.
- b) **Monetary Reward:** It is a cash payment made to the personnel up to 3 times the contractual wage.

In the event that one of the situations or a similar situation is realised, the personnel is deemed worthy of an award.

Preparation of the Certificate of Appreciation and sending it to the relevant personnel shall be carried out by the Disciplinary Board Presidency.

The monetary award shall be fulfilled by the institution within 10 days following the decision of the Disciplinary Board.

### **Rewarding Procedures and Methods**

**Article-20** The conditions that require a staff member to be given a Certificate of Appreciation or a Monetary Award and the methods of application are as follows.

- a) Except in cases requiring normal work and attention, uncovering or preventing any corruption as a result of superior effort, care and attention,
- b) Preventing any possible damage that may arise against the university and affiliated hospitals with a diligence and sacrifice that exceeds the normal working and supervision function required by the duty,
- c) Preventing or minimising the work, transactions and actions to the detriment of the University and affiliated hospitals by taking into account the physical, moral and occupational hazards and risks that are likely or obvious to be encountered
- c) The Disciplinary Board may decide to collect the financial

responsibility amounts in instalments and whether or not to accrue interest during this period.

d) In the Board decision regarding the compensation of the damages incurred by the University and affiliated hospitals, the responsible personnel, the amount and / or rate for which they are held responsible and the method of compensation of this amount are clearly stated.

e) The personnel who are held responsible for the damages of the University and affiliated hospitals are obliged to pay the amount for which they are held responsible as specified in the notification made to them. The personnel who do not fulfil this obligation shall be sued by the relevant unit within the framework of general legal rules.

f) If there are circumstances that require the issue to be evaluated according to the outcome of judicial decisions, the determination of financial responsibility may be postponed until the outcome of the judicial decision by including this issue.

g) In the event that the damages of the University and affiliated hospitals arising from the transaction for which financial responsibility is ruled are partially or fully collected from the actual debtor and perpetrators in the following process, the amount of the collection made shall be returned to the recourse personnel without waiting for the request.

### **Approval of Disciplinary Board Decisions**

#### **Article-21** Disciplinary Board decisions;

a) Decisions regarding disciplinary penalties and financial liability of the personnel in the title of Senior Manager of the University and affiliated hospitals, with the approval of the Board of Directors or the Founding Rector and / or the Rector,

b) Decisions regarding disciplinary penalties for personnel other than Senior Managers are approved by the Rector and the Chief Physician;

c) Decisions to compensate the damages caused by the staff from the expenses of the University and affiliated hospitals, with the approval of the Board of Directors or the Founding Rector, Rector, Chief Physician according to the limits of authorisation,

d) In case of changes in the provisions of the legislation referred to regarding the approval of the decisions of the Disciplinary Board, the approval of the decisions shall be carried out in accordance with the date and content of the amendment.

### **Appeal against Disciplinary Board Decisions**

**Article-22** a) Objections against disciplinary penalties and financial liability shall be made in writing to the Presidency of the Disciplinary Board within 5 business days from the date of notification.

The decision not appealed in due time shall be finalised.

b) The objections made within the time limit are discussed and resolved by the Disciplinary Board within 1 week.

c) Decisions on appeals shall be finalised upon approval by the relevant authority referred to in Article 21.

d) Disciplinary penalties that are cancelled or changed upon appeal are deleted from the personnel file of the relevant person or a new one is processed.

e) In case of cancellation of the dismissal penalty, a new employment contract is made with the personnel under the same conditions.



f) If the direction of financial responsibility is changed as a result of objections, the application is carried out as amended.

### **Right of Defence**

**Article-23** No staff member of the University and affiliated hospitals may be disciplined and held financially responsible without a written defence.

This provision on financial responsibility is only related to the damages of the University and affiliated hospitals and their suppliers, patients and students, which the Disciplinary Board has obliged the personnel to compensate without any legal proceedings, and the general provisions shall be applied in compensation for legal proceedings.

### **Right of Discretion**

**Article-24** For personnel whose work and performance evaluation results during their past service are positive, the punishment one degree lighter than the punishment corresponding to the disciplinary offence committed may be applied.

### **Notification and Implementation**

**Article-25** The decision on disciplinary punishment and financial responsibility shall become effective as of the date on which it is deemed to have been notified in writing by the Presidency of the Disciplinary Board to the relevant person in accordance with the notification law. In the event of a different decision as a result of the evaluation of the objections made within the period, the disciplinary penalty and financial responsibility specified in this decision shall be applied. The decisions of the Disciplinary Board are sent to the relevant service units to be fulfilled as required. The relevant service unit is obliged to fulfil the procedures in the decisions of the Disciplinary Board that are transferred to it on time and as decided.

The disciplinary penalty imposed is recorded in the personnel registry by the Human Resources Directorate.

### **Need for Correction/Additional Decision**

**Article-26** With respect to a decision previously made, the disciplinary penalty and financial responsibility ratios may be redetermined by re-evaluation in line with an application made or information received as a result of a situation and development that has subsequently emerged.

However, such a decision cannot be heavier than the disciplinary penalty and financial liability previously imposed on the personnel.

The expiry of a penalty is conditional on the expiry of a penalty imposed at a later date.

Deletion from the registry is carried out directly by the relevant service unit without requiring any decision or personnel application.

Disciplinary penalties existing at the date of entry into force of the Regulation shall also be evaluated in accordance with the provisions of this article.

### **Those Prosecuted**

**Article-27** The initiation of criminal proceedings against the personnel due to the same incident or the conviction of the personnel as a result of the proceedings or the decision of acquittal or non-prosecution shall not prevent the imposition of

disciplinary punishment.

### **Deletion of Disciplinary Penalties from the Registry**

**Article-28** Disciplinary penalties other than dismissal shall be erased from the records of the relevant personnel after 5 years from the date of the penalty. In order for the disciplinary penalty to be deleted from the disciplinary record, the personnel must not have received the same or a more severe penalty within this period.

In the defence letter, the actions that require disciplinary punishment and/or financial responsibility shall be stated clearly and precisely. If there is more than one action and subject, each of them is listed and written one by one and the provisions of the legislation that these actions are contrary to are clearly stated.

The right of defence of the personnel who fails to submit his/her written defence within the given period or whose defence letter sent in accordance with the provisions of the notification law cannot be notified to him/her shall be forfeited.

When the Disciplinary Board convenes, the personnel, whose written defence is received, uses his/her right of defence by making a statement in front of the members of the Disciplinary Board.

### **Enforcement**

**Article-29** This regulation enters into force upon the approval of the Board of Directors.

### **Related Documents**

- Article-30**
- 30.1. University of Kyrenia Personnel Regulation (GÜ-İK-Y-01)
  - 30.2. Dr Suat Günsel University of Kyrenia Hospital Personnel Regulations (GÜ- İK-Y-01)
  - 30.3. Personnel Disciplinary Record Form (GÜ-İK-F-19)
  - 30.4. Personnel Disciplinary Defence Form (GÜ-İK-F-20)
  - 30.5. Board of Directors / Disciplinary Board Decision Form (GÜ-İK-F-21)

### **Basis**

- Article-31**
- 31.1.22/1992 TRNC Labour Law
  - 31.2. 7.2- 191/2006 Law on Work Permits for Foreigners Labour Order
  - 31.3. 2/1993YÖDAK (Establishment, Duties, Supervision and Accreditation of Higher Education Institutions) Law
  - 31.4. Cyprus Turkish Medical Association "Medical Professional Ethics Regulation.

