

# CASWELL COUNTY SCHOOLS

## PROCUREMENT CARD (“P-CARD”) PROCEDURES MANUAL

Created: January 25, 2010

### GENERAL

#### Who Should Read This Manual

All authorized users and approvers of expenditures through Caswell County Schools (“CCS”) Procurement Cards (“P-Cards”) and all School or Department administrators or employees serving as custodian for a school/department issued CCS P-Cards should read this manual.

#### Background & Purpose

CCS has established a P-Card program. As part of this program, CCS has contracted with SunTrust Bank Commercial Card Services (“SunTrust”) to provide P-Card services to CCS schools and departments.

This program provides for the rapid acquisition of primarily low dollar items. The P-Card program is designed to promote purchasing efficiency, flexibility, and convenience. Benefits of the P-Card are reduced time, paperwork and handling costs, along with a more rapid and efficient receipt of goods. By using the P-Card the traditional requisition – pricing inquiry – order placement – delivery of goods – invoice – voucher review – payment cycle, is greatly reduced.

P-Card purchases and subsequent approvals for goods and services shall be made in accordance with established purchasing rules and policies, this manual and Caswell County Board of Education Policy 545 (Purchasing).

### PARTICIPANTS

**Card Issuer (SunTrust)** – SunTrust Bank Commercial Card Services issues VISA P-Cards to CCS employees & departments via central distribution through the CCS Purchasing Department and provides electronic transaction authorizations, online account reconciliation capabilities, and monthly billing to CCS for all purchases made on the P-Cards.

**Organization (CCS)** – CCS arranges with the Card Issuer, SunTrust, to have P-Cards issued to approved employees and departments.

**P-Card Manager** – The central administrator located in the CCS Finance Department who coordinates the P-Card program for the school system and acts as CCS’ intermediary in correspondence with the Card Issuer.

**Cardholder Manager** – The Organization employee who must approve an employee’s request for a P-Card, assign a P-Card Coordinator, designate default budget code for purchases on the P-Card, and submit an application to the P-Card Manager. Cardholder Managers’ approval delegates transaction authority to the Cardholder, and approves encumbrance amounts for each P-Card. This individual shall review and approve a monthly transaction summary provided by the P-Card Coordinator.

**P-Card Coordinator** - An employee in each school/department designated by the Cardholder Manager to be responsible for reviewing transactions of individual Cardholders to make sure the transactions are legitimate business expenses and are classified appropriately, and to ensure all supporting documentation for transactions are received from Cardholders and Card Users and filed for safekeeping and subsequent audit.

**Cardholder** – An employee of CCS who is approved by their Cardholder Manager to use the P-Card to execute purchase transactions on behalf of CCS. This person validates all purchases, contacts and strives to resolve disputes with the Vendor, submits accurate backup records for transactions to P-Card Coordinator, reviews all statements, retains all statements and supporting documentation and, upon departure from school/department, forwards all statements to his/her Cardholder Manager.

**Card User** – An employee who has been given authority to utilize a department/school P-Card to procure goods and/or services for the department/school.

**Vendor** – The merchant, supplier or service provider from whom a Cardholder or Card User is making a purchase.

## **P-CARD PROGRAM GENERAL OVERVIEW**

Outlined below are the general rules for the P-Card Program, eligibility requirements for Cardholders and Card Users and the general responsibilities for various CCS Participants.

### **General Rules**

1. P-Cards can be issued to and used by CCS employees and/or CCS schools/departments *only*.
2. P-Cards will not be transferable between individual Cardholders, Card Users or schools/departments.
3. Each P-Card will be assigned budget codes. All expenditures for a card should be an appropriate expense to the budget account corresponding to the P-Card.
4. Only authorized CCS employees may charge purchases for the school/department to the P-Card.
5. The P-Card cannot be used to make personal or unauthorized purchases.
6. The P-Card cannot be used for purchases of restricted (*i.e.* prohibited) commodities or services or from restricted industries and companies.
7. P-Card Coordinators may be coordinators for more than one department.
8. All P-Card Coordinators work at the instruction of the P-Card Manager in relation to the P-Card Program. Cardholder Managers must approve the request for a P-Card, assign the appropriate account number, and assign the P-Card Coordinator for each Cardholder.
9. Cardholders and Card Users make purchases (using established guidelines, policies, and procedures) and Cardholders receive/review monthly account statements (paper statements).

10. The P-Card Coordinator matches receipts to monthly statement for review and approval. All transaction approvals by the P-Card Coordinator and Cardholder Manager must occur no later than the 10<sup>th</sup> day of each month (or the next business day if the 10<sup>th</sup> falls on a weekend or holiday).
11. A payment will generally be made to SunTrust within 18 days after the end of the billing cycle (usually the 20<sup>th</sup> day of the month).

### **Cardholder Eligibility**

- ◆ Each Cardholder must be an employee of CCS
- ◆ Each Cardholder request for a P-Card must be approved by their Cardholder Manager
- ◆ Each Cardholder must be assigned a P-Card Coordinator selected by their Cardholder Manager
- ◆ Each Cardholder must complete the online training before receiving their P-Card.
- ◆ Each individual Cardholder must sign a Cardholder Agreement in the presence of the P-Card Manager.

### **Card User Eligibility**

- ◆ Each Card User must be an employee of CCS
- ◆ Each Card User must complete the “Procurement Card Log Sheet” before issued a P-Card

### **P-Card Manager Responsibilities**

The Finance Director will assign a P-Card Manager to be responsible for the over-all P-Card program. Responsibilities for the P-Card Manager include:

1. Serve as CCS’ Liaison with SunTrust
2. Download transactions daily from SunTrust for review.
3. Process requests for new cards to SunTrust and receiving P-Cards from SunTrust.
4. Train Cardholders, P-Card Coordinators, and Cardholder Managers before releasing P-Cards.
5. Ensure Cardholders, P-Coordinator, and Cardholder Managers sign a Cardholder Agreement, signifying agreement with the terms of the P-Card program
6. Handle disputed charges/discrepancies not resolved by Cardholder or P-Card Coordinator.
7. Secure revoked P-Cards and submit information to SunTrust.
8. Receive and review the SunTrust bill.
9. Review usage of P-Card data for appropriateness.

10. Ensure that lost/stolen cards have been cancelled by SunTrust.
11. Assist the P-Card Coordinator with erroneous declines and emergency transactions.
12. Close an account of a Cardholder if the Cardholder transfers to a different school, different school/department, (b) moves to a new job in which a P-Card is not required, (c) terminates employment, or (d) for any of the reasons that will also subject the Cardholder to disciplinary action.

### **Cardholder Manager Responsibilities**

The P-Card is an efficient tool a manager can offer employees. However, the P-Card is not suitable for all kinds of purchases and the Cardholder Manager must understand the P-Card process and must be willing to take responsibility for ensuring the employee is using the P-Card within CCS guidelines. Duties of the Cardholder Manager include:

1. Approve each employee's request for a P-Card.
2. Designate the P-Card Coordinator(s).
3. Designate the budget code for purchases on the P-Card.
4. Submit Cardholder Enrollment Forms to the P-Card Manager.
5. Electronically review and approve purchases in the online ESP software by deadline established (See the CCS P-Card Calendar).
6. Review and approve the monthly billing statements.
7. Delegate transaction authority to Cardholders via the cardholder enrollment form.
8. Complete the P-Card Log sheet if the P-Card leaves the custody of the P-Card Coordinator and/or the custodial location.
9. Perform P-Card Coordinator duties in the absence of a P-Card Coordinator.

### **P-Card Coordinator Responsibilities**

Each Cardholder Manager (Dept. Manager, School Principal, etc.) must designate one or more P-Card Coordinators. The Cardholder Manager will assign a P-Card Coordinator for each Cardholder Enrollment Form approved for their employees. The P-Card Coordinator must receive training before any employees in the school/dept. may receive a P-Card. Responsibilities for the P-Card Coordinator include:

1. Review vendor receipts and reconcile with the SunTrust Cardholder statements.
2. Review Cardholder transactions on the Cardholder statements.

3. Retain all Cardholder charge slips and receipts for audit by internal and external auditors for a period of 3 years. The P-Card Coordinator must contact the P-Card Manager before destroying any such records, even if the three years has passed.
4. Attempt to resolve any disputes with vendor and/or SunTrust not resolved by Cardholder.
5. Notify the P-Card Manager within 30 days of any unresolved disputes, noting the reason for the dispute and attach any relevant documentation.
6. Ensure an appropriate credit for the reported disputed item, or a billing error appears on a subsequent Cardholder statement.
7. Notify the P-Card Manager of lost or stolen P-Cards immediately.
8. Provide a written request to the P-Card Manager to cancel a Cardholder's P-Card (i.e. terminated employees, transferring within departments/schools, and loss of P-Card privileges) as approved by the Cardholder Manager, and shred the card to prevent any possible misuse. Every effort shall be made to notify the P-Card Manager of these situations within 24 hours of the employment status change.
9. Assist Cardholders with erroneous declines and emergency transactions.
10. Electronically review and approve purchases in the online ESP software by deadline established (See the CCS P-Card Calendar).
11. In instances where a department or school card is issued, ensuring that only authorized CCS employees have access to the P-Card account by completing the P-Card Log sheet.
12. Review the monthly billing statement.
13. Complete the P-Card Log sheet if using a school/department P-Card if the card is leaving the custody of the P-Card Coordinator and/or the custodial location.

### **Cardholder Responsibilities**

The Cardholder must use the P-Card for legitimate purposes only. The Cardholder responsibilities include:

1. Ensure purchases are consistent with intent of the card and are an appropriate expense for the budget code assigned to the card. The P-Card may not be used for personal or unauthorized purchases, or for restricted commodities, services, industries, or companies (see "P-Card Restrictions" on CCS Finance Department website for an updated listing). The Cardholder must ensure compliance at all times and keep himself or herself apprised of all restrictions.
2. Maintain the P-Card in a secure location at all times.
3. Not allow other individuals to use their P-Card.
4. Adhere to the purchase limits and restrictions of the P-Card and ensure that all individual transactions do not exceed the per transaction limit, including all fees, freight and taxes.

5. Obtain and reconcile all sales slips, register receipts, and proofs of purchase to SunTrust Cardholder statement and provide receipts within 2 working days of purchases made to P-Card Coordinator for review and approval of transactions.
6. Attempt to resolve disputes or billing errors directly with the vendor and notify the P-Card Manager if the dispute or billing error is not satisfactorily resolved by completing the required dispute form (See P-Card folder on CCS Finance Department website).
7. Not accept cash in lieu of a credit to the P-Card account.
8. Immediately report a lost or stolen card to SunTrust Customer Service Center – available 24 hours a day, 365 days a year, by calling 1-800-836-8562.
9. Immediately notify P-Card Coordinator, P-Card Manager and SunTrust of a lost or stolen P-Card at the first opportunity during normal business hours.
10. Return the P-Card to P-Card Coordinator upon terminating employment with CCS or transferring schools/departments within CCS.
11. Report erroneous transactions to the P-Card Coordinator during normal business hours.
12. Complete the P-Card Log sheet if using a school/department P-Card if the card is leaving the custody of the P-Card Coordinator and/or the custodial location.

### **P-Card User Responsibilities**

Card User Responsibilities mirror the Cardholder responsibilities, except that these users will not possess an individual P-Card, nor will these users receive an individual statement from SunTrust.

### **SPECIFIC RULES AND PROCEDURES**

This section provides additional rules and procedures related to the P-Card program.

#### **Procurement Card Set Up, Maintenance, & Closure**

All contact with SunTrust for P-Card set up, maintenance, and closure (except for reporting lost or stolen cards) will be handled by the P-Card Manager.

##### **Card Set Up:**

- Ø The Cardholder Manager sends a request for a new card using the “Cardholder Enrollment Form” to the P-Card Manager. This request should identify the cardholder’s name as it appears on their driver’s license. This Cardholder Manager request delegates transaction authority to the Cardholder.
- Ø The P-Card Manager processes request to SunTrust. (Faxed or Online).

- Ø Upon receipt of the P-Card from SunTrust, the P-Card Manager will notify the P-Card Coordinator regarding receipt of card.
- Ø The P-Card Manager will provide training to all Cardholders prior to issuance of a P-Card. The P-Card Coordinator will provide ongoing training to the Cardholder.
- Ø Cardholder signs Employee/Cardholder Agreement and Online Training Completion forms signifying agreement with the terms and rules of the P-Card program.

**Card Maintenance:**

- Ø The P-Card Coordinator will forward all maintenance requests to the P-Card Manager.
- Ø The P-Card Manager will submit all requests to SunTrust.

**Closure for Lost or Stolen P-Cards:**

- Ø The Cardholder must immediately report the lost/stolen card to the P-Card Coordinator, Cardholder Manager and P-Card Manager and SUNTRUST, at 1-800-836-8562.
- Ø The P-Card Coordinator will contact the P-Card Manager, who will follow up with SunTrust to ensure the account has been closed.
- Ø Additional information related to lost or stolen cards is set forth below, in the section entitled “Lost, Misplaced or Stolen P-Cards.”

**Terminated or Transferred Employees:**

- Ø The P-Card Coordinator is to secure P-Cards from terminated employees and employees who transfer to another school/dept.
- Ø The P-Card Coordinator will immediately notify the P-Card Manager by email of the termination or transfer.
- Ø A request for closing the Cardholder account will be submitted to SUNTRUST by the P-Card Manager immediately upon receipt of notification.
- Ø All P-Cards are to be turned in to the P-Card Manager by the P-Card Coordinator to prevent possible misuse.
- Ø The Employee Cancellation Letter must be completed by the P-Card Coordinator for any Cardholder, P-Card Coordinator, or Cardholder Manager that transfers within CCS or terminates employment with CCS. One copy is kept with the P-Card Coordinator and the other copy is mailed to the employee.

**Other P-Card Revokes/Closures:**

The P-Card Manager will notify SunTrust immediately of all revokes and closures.

## **Lost, Misplaced or Stolen P-Cards**

It is the responsibility of a Card User to immediately report a lost or stolen P-Card to the appropriate Cardholder. It is the responsibility of the Cardholder or the school/department P-Card Coordinator to report a lost or stolen P-Card immediately to SUNTRUST, the P-Card Manager, and the Cardholder Manager. If it is suspected that the P-Card has been stolen, the Cardholder must notify the CCS Finance Department immediately.

A replacement P-Card will be reissued after the P-Card Manager and the Cardholder's Manager have been properly notified of the lost/stolen P-Card (NO PAPERWORK REQUIRED); this may take approximately 10 business days. Once the replacement card arrives to the P-Card Manager, the appropriate Cardholder will be notified directly by e-mail or telephone.

Cardholder's steps to canceling a lost/stolen P-Card

1. Call SunTrust at (800) 836-8562 immediately (24 hours a day, 365 days a year) to report the lost or stolen P-Card. All charges made to a P-Card before it is cancelled may become the liability of CCS.
2. Notify the P-Card Manager in order to initiate the request for a "replacement" card.
3. Notify your Cardholder Manager.
4. If the card has been stolen, call CCS Finance Department immediately.
5. Arrange for alternate procurement arrangements (as the "replacement" card may take approximately 10 business days to arrive).
6. Upon receipt of the "replacement" P-Card, be sure to activate the new account before initiating use.
7. Notify your P-Card Coordinator or other pertinent parties of the new account information for records they may keep.

## **Cardholder Record Keeping**

Whenever a P-Card purchase is made, either over the counter, by telephone, or by Internet, documentation shall be retained as proof of the purchase. Such documentation will be used to verify and reconcile the purchases listed on the Cardholder's monthly statement of account.

When the purchase is made over the counter, the Cardholder shall retain the invoice and "customer copy" of the charge receipt. Prior to signing this slip, the Cardholder is responsible for making sure that the vendor lists the quantity, fully describes the item(s), and includes sales tax on the charge slip.

When the goods are received as a result of placing a telephone or electronic (internet) order, provide printed order confirmations, and retain all shipping documentation.

All records must be retained on site and available for audit for three (3) years. The Cardholder should contact the P-Card Manager before destroying any such records, even if the three years has passed.



## **Expenditure and Billing Approvals**

Cardholders and Card Users are required to submit all transaction documents (receipts, shipping, packing slips, etc.) for expense authorization within 2 days from receipt of product/service to the designated P-Card Coordinator. Cardholders and Card Users do not have the general authorization to sign any transaction documents that waive rights (*e.g.* settlement documents, waiver of claims documents) of CCS and, therefore, should not sign any such documents without receiving specific authorization from the P-Card Manager or designee.

Each P-Card account will receive a monthly billing statement addressed to the Cardholder (P-Card Coordinator for Department/School Cards). Each Cardholder or P-Card Coordinator (for Department/School Cards) is required to review and this document.

P-Card Coordinators are required to attach receipts and transaction documentation to the back of a monthly statement copy, and to file this copy on site with all transaction documentation. All records must be retained on site and available for audit for three (3) years. The P-Card Coordinators should contact the P-Card Manager before destroying any such records, even if the three years has passed.

P-Card Coordinators and Cardholder Managers are required to electronically review and approve each account transaction in the SunTrust Bank Visa online reconciliation tool. Each item must be checked and marked as “Approved.” All records are to be maintained by the P-Card Coordinator for inspection by the P-Card Manager and auditors.

## **Spending Limits**

Each P-Card is supported by a CCS purchase order for the amount of charge capacity/capability assigned to each P-Card. The amount of each purchase order (issued to SunTrust) will be pre-loaded into the corresponding P-Card by the P-Card Manager, only after a CCS purchase order has been issued by the P-Card Manager. Additional spending controls/limits include:

1. Per transaction limit: **Default \$1,000 (\$2,500 for Transportation)**
2. Daily number of transactions allowed: **No limit**
3. Monthly credit limit: **Default \$5,000, or remaining balance of P.O. <\$5,000**  
*The P-Card Manager may approve higher limits. Contact the P-Card Manager to initiate the process for establishing credit limits higher or lower than \$5,000.*
  - ◆ Complete Spending Limit Adjustment Form. (See forms)
  - ◆ Obtain your Cardholder Manager’s approval
  - ◆ State the business need for higher limits
  - ◆ Send the form to the P-Card Manager

## **Erroneous Declines**

Should the P-Card be erroneously declined by a Vendor, the Cardholder should immediately contact the P-Card Coordinator for assistance. If the purchase is being made outside of normal CCS business hours, the employee must find an alternate payment method or terminate the purchase and contact the P-Card Coordinator during normal business hours.

## **Emergency Transactions**

Emergency transactions over \$1,000 may not be handled with the P-Card. For any transaction that does not meet the spending controls assigned to the P-Card, the Cardholder must contact the P-Card Coordinator for assistance.

## **Credits**

Vendors will issue all credits to the corresponding individual or department P-Card account for any item they have agreed to accept for return. This credit will appear on a subsequent statement. **Under no circumstances should a Cardholder accept cash in lieu of a credit to the P-Card account.**

If an item has been returned to the vendor and a credit voucher received, the P-Card Coordinator shall verify that this credit is reflected on the monthly statement. If purchased items or credits are not listed on the monthly statement, the P-Card Coordinator shall RETAIN the appropriate transaction documentation until the next monthly statement. If the purchase or credit does not appear on the next statement, contact the P-Card Manager for assistance.

## **Unresolved Disputes and Billing Errors**

The Cardholder is responsible for following up with a supplier regarding any erroneous charges, disputed items, or credits that should appear on the monthly statement. Disputed charges can result from failure to receive goods, fraud or misuse, altered charges, defective merchandise, incorrect amounts, duplicate charges, credits not processed, etc.

The Cardholder should contact the supplier first to attempt to resolve any outstanding issues. Most issues can be resolved this way.

If the Cardholder is unable to reach an agreement with the supplier, the next step is to complete a P-Card Dispute Form and send it along with any supporting documentation to the P-Card Manager (by email, fax or courier).

All disputed transactions must be submitted to the P-Card Manager within thirty (30) days of the posted transaction. The P-Card Manager will attempt to resolve your request before it is sent directly to SunTrust for review. When SunTrust has completed its investigation, the Cardholder will be informed of the resolution of any corrections that were made to their P-Card account.

## **Security and Storage:**

**P-Card Physical Custody** – The Cardholder is responsible for the physical custody of the P-Card. Department/School cards shall be maintained in the physical custody of the P-Card Coordinator. P-Cards should always be treated with the same level of care as one does their own personal credit cards. The only person entitled to use the P-Card is the person assigned the P-Card. The P-Card may not be loaned to another person for any reason. The P-Card Log Sheet must be completed by any CCS employee using a school/department card if the P-Card leaves the custody of the P-Card Coordinator and/or the custodial location.

**P-Card Physical Security** – The person responsible for the physical custody of the P-Card is also responsible for the physical security of the P-Card and the account number. The P-Card shall be stored in a locked space or carried by an authorized Cardholder when not in use. The P-Card account number and related documentation shall be secured in the same manner as the P-Card. P-Card numbers are not allowed to be written down or copied by any person.

## **Vendor Blocking**

Transactions will be blocked at the point-of-sale at the types of vendors established by the CCS Purchasing Dept. (Please review the Merchant Commodity Codes for additional information).

## **Improper Use of P-Card**

No set of rules can address all forms of improper use of or conduct related to the P-Card. CCS expects each of its employees to act in a professional and responsible manner at all times in relation to the P-Card program. In addition, examples of some of the more obvious, unacceptable behaviors that may subject any employee, including Cardholders, P-Card Users, P-Card Coordinators and Cardholder Managers, to disciplinary action are set forth below:

- ◆ Splitting Transactions (intentional)
- ◆ Procuring restricted commodities
- ◆ Procuring from restricted vendors
- ◆ Not turning in receipts timely
- ◆ Not turning in proper payment documentation, and/or signature approvals
- ◆ Procuring items for personal use

**Except where, in the discretion of supervisory or administrative personnel, the employee conduct or performance warrants immediate termination or other disciplinary action, an employee would be subjected to the following consequences, which may include any one or a combination of the following actions, depending on severity of infraction:**

**Verbal notification of any infraction** - If the Card User is not responding to attempts to reach him/her (message left with dept, voicemail, e-mail), the Cardholder Manager can be contacted for assistance. Option: Temporary suspension of the card until problem is resolved.

**Written notification of any infraction with supporting documentation** - A copy of the written notification will be sent to the Cardholder Manager and should be shared with appropriate P-Card Coordinator. Option: Temporary suspension of the card until problem is resolved.

**Temporary suspension of P-Card privileges with mandatory re-training** - (duration of suspension will be assessed based on severity of infraction). A copy of the written notification with supporting documentation will be sent to Cardholder Manager and appropriate P-Card Coordinator.

**Permanent loss of privileges** - Written notification of card revocation with permanent loss of privileges with a copy sent to the Cardholder Manager.

As noted above, no set of rules can address all forms of improper use of or conduct related to the P-Card. Examples of some of the more obvious, unacceptable behaviors that may subject P-Card Coordinators and Cardholder Managers, to disciplinary action are set forth below:

- ◆ Failure to cancel an individual P-Card or change the Cardholder Manager information when the person has either left the department and/or CCS.
- ◆ Failure to transfer P-Card Coordinator duties when a P-Card Coordinator has either left the department and/or CCS.
- ◆ Failure to review timely a P-Card transaction
- ◆ Failure to turn in receipts timely
- ◆ Failure to turn in proper payment documentation, and/or signature approvals
- ◆ Failure to notify appropriate authorities regarding P-Card abuse
- ◆ Failure to comply with recommendations from the Finance Department Internal Auditors

**Except where, in the discretion of supervisory or administrative personnel, the conduct or performance warrants immediate termination or other disciplinary action, an employee would be subjected to the following consequences, which may include any one or a combination of the following actions, depending on severity of infraction:**

The Cardholder Manager will receive written notification of infraction and procedures they need to follow to correct situation.

If infraction is not corrected, a follow up call to the Cardholder Manager will be made to ensure receipt of the written notification and to establish a deadline for the submission of appropriate paperwork (action plan) to resolve situation.

If the action plan is not received before the deadline, the next business day past the deadline, the P-Cards involved with the infraction will be suspended or cancelled with SunTrust.

## **Consequences for Violations of P-Card Rules and Procedures**

All employees, including P-Card Manager(s), Cardholder Managers, P-Card Coordinators, Cardholders, and Card Users are responsible for compliance with all the P-Card rules and procedures and any changes to the same. Individuals that make or allow others to make unauthorized purchases with the P-Card will be liable for the total dollar amount of such unauthorized purchases plus any administrative fees charged by SunTrust Bank in connection with the misuse.

Any employee who violates any policies or procedures related to the use of the P-Card, including but not limited to the policies and procedures set forth in this manual and Board of Education policies, are subject to any disciplinary actions CCS may take, up to and including seeking reimbursement of all loss or damage caused to CCS property and all charges and fees (including attorney's fees and expenses) incurred by CCS related to such loss or damage, termination of employment, revocation of privileges to use the P-Card, and/or bringing a civil action and/or seeking criminal prosecution against that employee.