

CONDUCT AND DISCIPLINARY ACTION

STANDARDS OF PERFORMANCE AND CONDUCT

University policy is designed to provide each employee a full opportunity for work success. This objective is dependent upon good employee selection procedures, meaningful employee orientation, appropriate on-the-job training, periodic performance evaluations, and a positive approach toward employee discipline by supervisors.

Disciplinary action is considered a dimension of performance evaluation. It is a corrective process to help employees overcome work-related shortcomings, enhance work performance, and achieve success. When problems occur, they should be handled in a manner which jointly supports the concept of positive discipline and minimizes the interruption of University services. Employee discipline may be needed and, as a corrective procedure, is an integral part of University employee policy. The University's expectation is that supervisors will direct their disciplinary efforts toward positive employee development and success.

When discipline is necessary, the positive guidelines below should be used to promote fairness and consistency throughout the University. The guidelines are not expected to be rigidly applied, but will be suitable for most University discipline situations. Depending upon circumstances in individual cases repeating a step, deleting a step, or moving to immediate discharge may be appropriate. All disciplinary actions must be coordinated with the Human Resources Office.

Verbal Warning

A verbal warning is the least severe form of disciplinary action. The intent of a verbal warning is for the supervisor and employee to focus on and discuss one or more areas of non-satisfactory work performance. While the situation is recognized as needing corrective action its nature and severity is not such as to need a more severe response. The supervisor should provide the employee with a brief summary of the meeting and the required corrective measures to be taken to remedy the matter. The supervisor shall keep a record of the meeting but it shall **not** be placed in the employees personnel file unless future actions warrant.

Written Warning

The University recognizes the written warning as an indication of performance and/or actions which seriously impede the employee's performance and/or cause a disruption to the workplace or the University's operations. The intent of a written warning is to identify specific concerns in the employee's actions which are to be corrected. A written summary of the required corrective measures and possible future sanctions are to be identified. A copy of this summary is provided to the employee and a copy shall be placed in the employee's personnel file. Additionally, copies may be sent to relevant levels of supervision.

Plan of Improvement

When in the supervisor's opinion the employee's unacceptable performance and/or actions dictate a plan of improvement may be implemented. A plan of improvement is conducted with the involvement of the Human Resources Director and the Supervisor. A plan of improvement is recognized as a more severe response by the University than a written warning. The plan of improvement shall cover a specified period of time, identify areas in which timely remedy is required, and outline how the identified area(s) of concern are to be corrected. Copies of the plan of improvement are provided to the employee, the employee's supervisor and the employee's personnel file.

Suspension

Suspension with or without pay is one of the most severe forms of disciplinary actions. The suspension shall be a minimum of three but not more than five work days in length. This action is generally taken only when an employee's actions are, in the University's opinion, of a particular serious nature or after less severe disciplinary actions have been attempted without success. An employee may be suspended pending investigation and the decision as to the extent of disciplinary action or termination. The employee shall be notified of such action by the Human Resources Director (or such University Representative as assigned by the President) of the reason and duration of the suspension. Documentation of the suspension shall be placed in the employee's personnel file.

Termination for Cause

The most severe form of disciplinary action, such action shall be taken when in the opinion of the University, based upon recommendations of relevant supervisors and the Human Resources Director, it is in the University's best interest to terminate the employment relationship with an individual.

Disciplinary action, to include termination, may be necessary because of the following actions:

- assault or battery of a person on University property or at a University sponsored event,
- theft of or on University property,
- unexcused absence of three or more days,
- falsifying employment application, or time or leave records,
- immoral conduct or indecency on University property or at a University sponsored event,
- use of intoxicants during working hours, at a University sponsored event, or on campus at any time,
- insubordination,

unauthorized use or duplication of a University key,
responding to work under the influence of alcohol or drugs, excessive absenteeism or tardiness,
violating a safety rule or practice,
sleeping or inattention to duty or inefficiency,
violation of law or university regulations,
lack of integrity,
Other conduct inappropriate for an employee of the University.

Disciplinary action for violation of University policies or procedures or for actions detrimental to the University, University property, or University personnel, not described herein, shall be determined by the President (or designees) of the University.

Note: The unwillingness or deliberate refusal to comply with a direct order or any established work assignment of immediate supervisor or higher level supervisor or the use of obscene or otherwise objectionable language to such personnel in a threatening manner shall be considered in violation of University policy and subject to disciplinary action up to and including termination. The refusal to perform an illegal act shall not be regarded as insubordination. Any employee requested to perform an illegal act should report such information to the Human Resources Office.

Supervisors Responsibilities

In an attempt to provide consistent treatment for employees, supervisors who have responsibility for administering disciplinary actions should do so in the following manner:

- notify the employee of the proposed disciplinary action to be taken.
- provide an explanation of the reason for the proposed action, conduct any verbal discipline (warning, reprimand, correction, etc.) in privacy between the supervisor and employee, and
- provide the employee an opportunity to be heard and to respond to the reasons for the disciplinary action prior to initiation of the action.

Pre-Termination Hearing

If a regular status employee is to be discharged, that employee should be given the opportunity to have a pre-termination hearing. Pre-termination hearings will be arranged through the Human Resources Office.