

## **2.12.2 Corrective and Disciplinary Action**

The University shall impose discipline and corrective action for any staff employee who fails to adequately and faithfully perform his/her duties, who violates and/or fails to conform to University regulations and the accepted codes of conduct will be subject to disciplinary action which may lead to suspension or dismissal.

While termination should be avoided when possible, the recommended progressive discipline structure does not limit the University's ability to terminate an individual when circumstances, in the University's discretion, call for immediate or different employment action. The purpose of using progressive discipline is to afford supervisors and employees an opportunity to address and improve job performance.

Each job performance problem or instance of misconduct must be tailored to the specific facts and employee, but efforts should be made to apply discipline consistently. Supervisors will address disciplinary matters promptly and consistently, with proper documentation and take all the known facts into consideration.

The following steps can be used as progressive discipline, although the severity of the misconduct should determine which of the following action or actions is necessary.

1. **Verbal Notice.** In order to resolve minor problems before they become serious issues, a verbal notice should normally be given by supervisors to employees. Verbal notices are recommended to be given in private by the supervisor. Written documentation setting forth the deficiency, details of the deficiency, the names of witnesses or other persons involved, if any, and the name of the supervisor who gave the notice, should be maintained in the department file.
2. **Formal Written Warning.** When an oral warning has been unsuccessful, when the problem is recurring, or for more serious misconduct, a formal written warning should be given to the employee. A copy of the written warning will be forwarded to the Executive Director of Human Resources for inclusion in the employee's personnel file. The written document should state the deficiency, the details of the deficiency, and any other pertinent information, including what is expected of the employee in the future.
3. **Suspensions without Pay.** For misconduct that is more serious or for a recurring offense, the employee may be suspended without pay for up to 5 days. The suspension must be approved by the department head and reviewed by the Executive Director of Human Resources prior to its occurrence. The employee is to be informed of the intended suspension and explained the reasons therefore, and shall be given an opportunity to discuss the matter with the supervisor or other administrator prior to the suspension being approved.
4. **Suspensions Pending Investigations.** Where a serious offense has been alleged or is suspected, a suspension with pay may, within the University's discretion, occur during the investigation of the matter. The Department of Human Resources will be informed of all such suspensions and the circumstances surrounding such actions. When an employee is suspended or placed on leave pending the results of an investigation, the investigation must move forward as quickly as is practically possible under the circumstances.

5. Demotion. Serious misconduct and the continuance and/or reoccurrence of prior offenses despite lesser disciplinary action may result in an employee being demoted. However, the University may demote regular staff personnel without notice or cause. Demotion of an employee may only occur through authorized University supervisory personnel after discussion with the Executive Director of Human Resources or designee. When a demotion occurs, the employee is to be informed in writing of the demotion by the Vice President of the respective Department.

6. Termination/Dismissal. Serious misconduct or prior offenses that have continued or recurred despite lesser disciplinary action may result in an employee's employment being terminated. However, the University may terminate the employment of regular staff personnel immediately without notice or cause. Dismissal of an employee may only occur through authorized University supervisory personnel after discussion with the Executive Director of Human Resources or designee. Employees against whom dismissal action is taken are to be informed in writing of the dismissal by the Vice President of the respective Department.

No prior notice needs to be given to an employee who is discharged for cause, unless the termination is to a contract employee prior to the expiration of a definite contract term. In this situation, a meaningful opportunity to be heard or hearing must be provided.

All employees, at the time of their termination of employment must return all uniforms, keys and other equipment to the University before their final paycheck is disbursed. Failure to return the property of the University will result in charges against the employee's final payroll check when permitted by law.