

CORRECTIVE ACTIONS AND DISMISSAL OF STAFF

SUMMARY

As noted elsewhere in this document, the employment relationship between the University and the staff is by mutual consent (employment-at-will) and may be terminated by either the staff or the University at any time with or without cause. Without in any way altering or limiting this at-will relationship, the purpose of this section is to provide a statement of the University's policy and normal procedures with respect to the imposition of corrective actions against staff when performance or conduct problems arise.

Corrective action may be needed with a staff member for one of two general reasons:

- (1) unsatisfactory job performance; or
- (2) unacceptable personal conduct

REASONS FOR IMPOSING CORRECTIVE ACTIONS

Unsatisfactory job performance/conduct occurs when, in the supervisor's reasonable opinion, an employee fails to satisfactorily meet job requirements set forth in the relevant job description or as directed by the employee's supervisor. Generally, a staff member's immediate supervisor will determine whether the staff member's job performance has been satisfactory. In making this determination, a supervisor may consider any of the following factors, among others, either alone or in combination:

- the quality of work;
- the quantity of work;
- work habits;
- the timely performance of work;
- related analysis, decisions, or judgment;
- the accuracy of work;
- the appraisal of result-oriented expectations and behaviors;
- absenteeism or tardiness;
- the ability to follow instructions, directions, and procedures;
- the appropriateness of work performed;
- ability to work well and display appropriate interactions with co-workers, supervisors, and customers; and
- other factors that, in the opinion of the supervisor, are appropriate to determine whether an employee's performance constitutes unsatisfactory job performance.
- job-related conduct that constitutes a violation of State or Federal law, or University policies and procedures;
- conviction of a felony or an offense involving moral turpitude that is detrimental to or impacts the staff member's service to the University;

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- the violation of written or unwritten work rules that should be known to the employee;
- falsification of a University application or other employment documentation;
- insubordination;
- misuse of University property or resources, including records or funds;
- unjustified interference with the order, safety, or efficiency of the work unit;
- unprofessional behavior or personal appearance;
- unauthorized disclosure of private, confidential, proprietary, privileged or controlled information or records;
- falsification of records or reports;
- unauthorized possession, use or distribution of alcohol or controlled substances, or being under the influence thereof at the work unit;
- gambling in any form on University property;
- unauthorized or improper use of University identification badges or passes;
- harassment based upon race, color, religion, gender, genetic information, national origin, sexual orientation, age, veteran status, disability, or other bases prohibited by state or federal laws and University policies and procedures;
- actions that, due to one's connection with the University as an employee, reflect adversely on the University or cause the University embarrassment; and
- other acts that, in the reasonable opinion of the supervisor, constitute unacceptable personal conduct.

PROCEDURES

Use of Corrective Actions

Corrective actions may be needed with a staff member when the appropriate supervisor determines that such actions will result in a beneficial change in conduct, deter future violations, promote respect for and commitment to the observance of applicable regulations, or promote the efficient and economical administration of University affairs.

Various levels of corrective action may be utilized by a supervisor, depending upon the facts of a particular case. In most cases, a progressive process will be followed, whereby increasing levels of discipline may be imposed as the same infraction is repeated or as additional problems occur. Whether the progressive process will be observed may also depend upon whether the infraction constitutes unsatisfactory job performance as opposed to unacceptable personal conduct. If a supervisor has cause to take corrective action for unacceptable personal conduct, the supervisor has the option to bypass the progressive corrective process and impose corrective action deemed necessary and appropriate for the personal conduct.

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Progressive corrective action involves steps ranging from verbal counseling to written corrective actions, suspension (normally used in conjunction with an investigation), demotion, and dismissal.

GRIEVING CORRECTIVE ACTIONS

A staff member who receives a corrective action may be able to file a grievance with respect to such corrective action pursuant to the [*Staff Grievance and Appeals Procedures*](#); however, certain actions, such as termination of employment (dismissal), are not subject to the grievance process.

REEMPLOYMENT

Ordinarily, staff who are discharged due to misconduct will not be eligible for rehire. However, staff who are discharged for reasons other than misconduct may apply and be considered for other positions at the University. Such employees must meet the minimum qualifications required of the position being applied for and will not be guaranteed an offer of employment.