



# University of North Alabama

## Staff Handbook

### Employee Relations Procedures and Guidelines

#### General Disciplinary Guidelines

The best working conditions prevail when employees conduct themselves with respect and consideration for themselves, their fellow employees, and their employers. Therefore, it is the duty of each employee to maintain high standards of conduct, personal behavior, cooperation, efficiency, and economy in their work for the University.

Rules and regulations are necessary in the workplace to provide the framework upon which work requirements, employee behavior, and self-discipline can be established, and a mechanism provided whereby disciplinary action can be taken to address deviations from established policies and rules.

The primary focus of discipline is to prevent the recurrence of past problems and to discourage new ones from arising, rather than on administering punishment. Except in cases of gross misconduct, disciplinary action is normally undertaken with the intent of bringing the employee's performance and conduct up to a satisfactory level. If the employee does not respond within a suitable length of time, which will vary with differing circumstances, the employee is subject to discharge. If the severity of the rule infraction and work behavior warrants such action, the employee may be discharged immediately.

The University's rules concerning discipline are intended to be general guidelines for good judgment and fair treatment. All employees are expected to abide by the University's rules and regulations as a condition of continued employment. Therefore, the University reserves the right to take disciplinary action for violations of its established rules. Employees who violate the University's policies, procedures, work rules, or behavioral rules will be disciplined in a timely, fair, equitable, and consistent manner.

**Progressive Discipline:** A system of progressive discipline may be used for the purpose of encouraging an employee to correct unacceptable behavior and adhere to the rules. The University's approach to matters requiring action attempts to administer discipline that is corrective rather than punitive. The discipline progresses from the less severe disciplinary action to the more severe disciplinary action. This does not preclude by-passing the lower levels of disciplinary action and rendering more severe punishment, including termination, when the severity of the offense warrants such action.

Any step or steps of the disciplinary process may be skipped at the discretion of the department head and the Associate Vice President of Human Resources after investigation and analysis of the total situation, past practice, and circumstances. If performance, personal conduct, work habits, or attitudes of any employee fall below the established standard, supervisors should point out the deficiency at the time it is observed. Corrections and suggestions should be presented in a constructive and helpful manner in an effort to elicit the cooperation of the employee. Whenever possible, verbal and/or written warnings, with sufficient time for improvements, shall precede formal discipline.

**Warning System:** To help ensure that all necessary disciplinary action is taken without prejudice or favoritism, and that the employee is given an opportunity to correct their work performance or behavior, the University will warn the employee, through the progressive discipline system, of unacceptable performance or behavior. The warning system allows the employee to know when they have violated a university rule or regulation and what they may expect if this conduct continues.

The number of warnings prior to any recommended termination is dependent on the seriousness of the rule or rules violated. In cases of misconduct in which the severity of the action is such that continued employment would be detrimental to the University, immediate termination is in order. The employee will be given a copy of all warnings placed in their personnel file.

**Administering Discipline:** Disciplinary action may include a problem-solving meeting (counseling), verbal warning, written warning, reprimand, suspension, demotion, or dismissal. The University reserves the right to determine those steps necessary, considering all aspects of each individual case.

### **Problem-Solving Meeting**

The first step of the disciplinary procedure is regarded as a corrective measure. The problem-solving meeting provides the supervisor with an opportunity to discuss his/her concerns with the employee. The supervisor should give the employee an opportunity to provide reasons for their perceived deficiency. Ultimately, this meeting should result in an agreement between the supervisor and the employee as to how performance will improve. This may involve a plan for training and/or skill development, an explanation of procedures, a review of rules, etc. The supervisor should document that the meeting took place.

### **Verbal Warning**

Should deficiencies and/or issues continue with regard to an employee's work habits, attitudes, production, or personal conduct after the problem-solving meeting, it may be necessary for the supervisor to meet with the employee to issue a verbal warning.

The verbal warning step of the disciplinary procedure is regarded as a corrective measure and is combined with appropriate instructions which, if followed, would make further steps unnecessary. The verbal warning meeting should be documented by the supervisor and sent to the Office of Human Resources to be placed in the employee's personnel file.

### **Written Warning**

If the undesirable behavior continues, or the rule infraction warrants, the supervisor may issue the employee a written warning. A written warning is issued to document the fact that the employee has been officially advised of the precise nature of their misconduct and warned that any future violation will result in further disciplinary action. Written warnings may be filed as a permanent part of the employee's personnel record; however, the supervisor may stipulate that the written warning will be removed from the employee's file after a specific period of time.

### **Reprimand**

A written reprimand may be made by supervisors for continued substandard performance, poor attendance, and other types of minor offenses. Reprimands may also be issued for offenses that are of a more serious nature and, therefore, necessitate an escalated approach. Reprimands are usually preceded by a problem-solving meeting and a written warning. Written reprimands are filed as a permanent part of the employee's personnel record.

### **Investigative Suspension**

An investigative suspension is a period during which an employee is relieved of their job because of a serious breach in discipline. This type of suspension is normally done to permit an investigation prior to taking final action when the offense would normally require dismissal. An employee may be placed on investigative suspension when it is necessary to make a full investigation to determine the facts of the case.

The employee may be suspended with or without pay based on the circumstances involved. The employee may be given the option of taking annual leave in lieu of being placed on an investigative suspension.

Conversely, the employee may be suspended with the determination made after the investigation as to whether or not they are to be paid (or reimbursed leave) for time missed during the suspension (depending on a determination or lack of a determination of misconduct). This determination will be made by the President in collaboration with the employee's supervisor(s) and the Associate Vice President of Human Resources.

### **Disciplinary Suspension**

Employees involved in serious attendance, performance, misconduct, or other problems may be given a disciplinary suspension from one to ten workdays by their supervisor and/or department head. Suspensions are not initiated without the advice and concurrence of the Associate Vice President of Human Resources.

While on disciplinary suspension, the employee is relieved of their assignments and forfeits pay as a result of the suspension. Unless otherwise agreed to by the President, no employee benefits are paid or accrued to any employee while on suspension. Health and life insurance may be continued at the expense of the employee.

Rule infractions requiring suspension of a duration greater than ten days must be approved by the President through the Associate Vice President of Human Resources.

All suspension actions must be communicated to the employee in writing. Records regarding suspension are filed in the employee's permanent personnel record.

**Charges of serious crime:** Employees arrested and charged with a serious crime may be, at the option of the University, placed on annual leave or leave of absence without pay, pending disposition of the case.

### **Demotion**

If an employee fails to meet the requirements of a job to which they have been promoted or of a job which has changed beyond the ability of the employee, they may be demoted and their salary adjusted accordingly. An effort will be made to place the employee in a position for which they are qualified. However, if no such position exists, the University reserves the right to terminate the individual's employment. All demotion actions must be documented in writing and filed in the employee's personnel record.

### **Probation**

As an alternative to termination, an employee can be placed in a probationary status. The duration of the probation could be up to six months, depending upon the circumstances. Probation can be used to address disciplinary and performance issues. An employee placed in a probationary status is informed of such in writing and is given specific guidance regarding the corrective action(s) required and the evaluation procedures used during the probationary period.

If probation is imposed due to a performance deficiency, the supervisor should refer to the Performance Evaluation policy for guidance in documenting both performance deficiencies and improvement, if any.

Although a probation is initiated by the employee's supervisor, it must receive prior approval by the appropriate Vice President and the Associate Vice President of Human Resources.

### **Dismissal**

An employee may be terminated as a result of a serious offense, or as the final step in an accumulation of infractions for which lower levels of disciplinary action have been administered.

For a serious offense (i.e., misconduct where continued employment would be detrimental to the University), termination may be the first and only disciplinary step taken.

The University also reserves the right to dismiss employees with or without just cause, except that no such dismissal will be made for unlawful reasons.

**Conduct Warranting Disciplinary Action:** The following list outlines conduct deemed by the University not to be in the best interest of the institution or its employees. As it would be impossible to anticipate and list every sort of violation, this list is not all inclusive. Participation in any of the following acts could result in disciplinary action against the violator. The severity of the disciplinary action would be dependent upon the seriousness of the violation, a determination of which would be within the sole discretion of the University. Although written in the format of rule violations, the list below serves the dual purpose of disciplinary guidelines and rules.

- Falsification of personnel records, including leave reports, electronic timesheets, and applications for employment.
- Deliberate refusal or failure to carry out any reasonable instruction of superiors.
- Excessive absenteeism or tardiness.
- Violation of the campus Weapons Policy.
- Stealing, or attempting to steal, from fellow employees, students, the University, or others on university property.
- Immoral or indecent conduct on university premises, or conviction by a court of law for such conduct off the job.
- Threatening, intimidating, coercing, or interfering with the work of other employees, students, or others on university property. This includes violations of the Workplace Threats and Violence policy.
- Conviction of a felony or an egregious misdemeanor.
- Any act of fighting on university property (other than in the line of duty or for self-protection), inciting to fight, or attempting to inflict bodily injury upon another.
- Leaving university premises or work areas without permission and/or notification during working hours.
- Misuse of paid leave privileges and benefits.
- Negligence, inefficiency, carelessness, incompetence, or lack of application of effort in the performance of duties (productivity not up to standards). Wasting time or loitering, "loafing," sitting when there is work to be done, or hiding out.
- Failure to report an accident and/or injury of a student, self, visitor, or anyone on University premises.
- Sleeping during work hours.
- Clocking the timecard of another employee.
- Violation of or disregard for common safety regulations or practices.
- Discourteous treatment of students, visitors, or other employees.
- Gambling during work hours.
- Exhibiting disorderly conduct or abusive language toward another on university premises.
- Giving false information to another employee or to a third party with regard to University business.
- Engaging in any strike, sickout, work stoppage, or slowdown.
- Disregarding personal appearance, hygiene, or standards of dress.

- Violation of the No Smoking Policy.
- Disregard for the appearance of work areas.
- Violation of the Solicitation Policy.
- Personal use of university supplies, property, equipment, etc.
- Engaging in any form of horseplay, scuffling, or mischief on university property that shows a disregard for the safety, comfort, or work performance of a fellow employee, or any other person on university premises.
- Violation of the Harassment Policy.
- Failing to return to work when notified to do so by university personnel.
- Unlawfully possessing, using, or distributing illicit drugs or alcohol on university property, or as a part of any of the University's activities. Also, includes any violation of the Drug and Alcohol Policy.
- Malicious gossip and/or spreading of rumors.
- Violating university traffic and parking rules or failure to dispose properly of traffic fines.
- Any conduct deemed by the University to be improper or unbecoming to an employee in university service.
- Violating any lawful or reasonable university regulation, policy, procedure, rule, or order.

### **Departmental Rules**

The rules contained herein are not intended to be all inclusive. Department heads and supervisors have the authority to establish and enforce work site rules, behavioral rules, and operating procedures unique to their specific requirements.

#### **Attendance:**

Each university job is important; otherwise, it would not exist. Therefore, each employee is expected to be punctual and keep absences to a minimum. The employee must give advance notice to their immediate supervisor whenever necessary absence from work is contemplated.

When an unexpected absence or tardiness arises because of illness or an emergency, the employee must notify their immediate supervisor as soon as is feasible, preferably before the start of the workday, but not later than two hours after the start of the scheduled workday. If that person is not available, someone in the employee's line of supervision must be notified by telephone. The employee is responsible for providing the supervisor with information regarding the general nature of the absence and the expected date of return to duty. If the employee is unable to report for duty by the specified date, they must request additional leave by contacting their supervisor. The employee should personally notify their supervisor unless they are medically unable to do so.

Failure to notify the supervisor of an absence of three days or more is considered an automatic resignation by the employee unless the employee can prove that it was impossible to notify the supervisor or someone else in the line of supervision.

In cases where records clearly indicate continuing abuse of leave privileges and/or habitual disregard for reporting to work, being prompt, returning to work timely after breaks, appropriate disciplinary action will be taken. Supervisors can and should require excuses for sick leave when appropriate. An employee may be terminated for excessive unexcused or excused absences or a combination of the two, even though proper notice of the absences was given to the University.