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Policy Information

Effective Date:

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CSM 403.0

Policy

The University of Arizona attempts to provide Regular Classified Staff employees who violate policies or exhibit unsatisfactory job performance an opportunity to comply with University or departmental requirements by means of progressive disciplinary actions.

Employees are expected to abide by the established rules and policies of their departments, the University, and the Arizona Board of Regents. To enable them to do this, administrative officials must develop clear and reasonable departmental policies and performance expectations, investigate the circumstances of apparent policy or rule violations or unsatisfactory performance before taking disciplinary action, and ensure that prompt, consistent disciplinary action is administered.

The intent of this policy is to use a series of progressive disciplinary actions when appropriate as a means to assist and encourage employees to correct their conduct and to achieve satisfactory work performance. Particular circumstances may, in some cases, be exceptional or singular and the related disciplinary actions shall be tempered or expanded because of the facts of the situation. Violations of the University rules against discrimination and harassment; the [Classified Staff Rules of Conduct](#) [1] contained herein; or other ABOR, University, and/or departmental rules or policies may result in specific disciplinary measures, including discharge.

Progressive Discipline

Progressive discipline is a *series* of disciplinary actions, corrective in nature, taken to provide regular staff employees the opportunity to improve job performance and comply with departmental and University policies. Such actions range from counseling/coaching, verbal and written warnings, and disciplinary probation/disciplinary suspension without pay, to discharge, as deemed appropriate

by the responsible administrator.

The responsible administrator, with the assistance of the Vice President for Business Affairs and Human Resources, shall also determine whether particular violations of the University Classified Staff Rules of Conduct and other ABOR, University, and/or departmental rules or policies are serious enough to warrant immediate specific disciplinary measures outside of progressive discipline, including discharge. Where "serious violations" are referenced in this manual, "serious violations" shall be those acts of serious misconduct or conduct which could result in injury or loss of life, limb, or property; or impairment of University operations; or disregard of the Nondiscrimination and Anti-Harassment Policy [2].

Procedures

Counseling/coaching is the most common method employed for assisting the employee to improve work performance or comply with rules and/or policies. Counseling or coaching should be a cooperative attempt at determining and correcting the problem. With the exception of serious failures to conform to rules and policies, as determined by the responsible administrator, disciplinary actions will occur only after counseling/coaching efforts have been unsuccessful. Responsible administrators are encouraged to keep notes of such counseling/coaching efforts.

Warnings may be either verbal or written. A written warning is used for more serious errors, failure to meet job requirements, or violations of rules and/or policies, as determined by the responsible administrator, or when a verbal warning has not produced satisfactory results. Either type of warning shall specify the problem(s) and what action is required to correct it. The responsible administrator who issues a verbal warning shall maintain notes of the date and contents of the discussion and shall advise the employee that a record is being maintained.

A written warning shall explicitly state that it is a "written warning" and shall specify that further disciplinary action will ensue if the employee fails to achieve a satisfactory level of performance. A written warning shall also include notice to the employee that it is subject to the dispute resolution procedure. A copy shall be sent to the Division of Human Resources.

Disciplinary actions are of two types, disciplinary probation and disciplinary suspension, and shall be used when a prior warning does not produce satisfactory results in correcting performance deficiencies or behavior that is not in compliance with University/departmental rules of conduct or when the responsible administrator determines that a violation of a rule and/or policy is serious enough to warrant such action without prior use of less severe discipline.

Disciplinary probation shall be for a specified period of time, not less than 1 month nor more than 6 months, during which time the employee's performance or behavior shall be closely monitored in an effort to effect improvement or change. Disciplinary probation is usually applicable to unsatisfactory job performance or dependability problems, such as unsatisfactory attendance, and carries an implied obligation to retain the employee for the duration of the period of disciplinary probation. If, however, new problems arise during a disciplinary probation period or performance significantly declines during this period, immediate discharge may occur.

Disciplinary probation shall be initiated by a memorandum to the employee that explicitly contains the following:

1. Inclusive dates of probation period.
2. Specific nature of problem(s) resulting in probation, including specific examples of incidents for each problem.

3. Corrective action required, including specific and reasonable standards related to the deficiencies outlined in #2, above.
4. The consequences of failure to correct the problem(s) within the disciplinary probation period.
5. Notice that immediate discharge may occur if new performance deficiencies arise within the disciplinary probation period.
6. Notice of the employee's right to appeal the probation by means of the Staff Dispute Resolution Procedure [3].

A copy of this memorandum shall be provided to the Division of Human Resources.

Disciplinary suspension is the temporary release from duty of a regular classified staff employee for up to 30 calendar days without pay and is applicable when the responsible administrator determines that a violation(s) or repetition of violation(s) of ABOR, University, and/or departmental rules and policies is serious enough to warrant suspension. This action shall be preceded by a **pre-suspension without pay meeting** in accordance with the Predischarge or Suspension without Pay [3] policy. Should a Regular Classified Staff employee's conduct warrant more than two suspensions within a two-year period, discharge shall be considered.

Written notice of disciplinary suspension shall be given to the employee with a copy to the Division of Human Resources and shall include the following:

1. Reason for the disciplinary suspension.
2. Reference to and conclusions drawn from the pre-suspension meeting.
3. Inclusive dates of the suspension.
4. Employee's right to appeal the action through the Staff Dispute Resolution Procedure (Policy CSM 406.0).
5. Advice to the employee that failure to return to work on the first scheduled workday following the suspension will result in discharge.

A disciplinary suspension given to an EXEMPT employee must be for full workdays.

Investigative suspension is the temporary release from duty for up to five (5) working days of a Regular Classified Staff employee *with* pay to permit investigation of apparently serious infractions of ABOR, University, and/or departmental rules or policies. When circumstances warrant, as determined by the Vice President for Business Affairs and Human Resources or designee, extensions may be granted in increments of up to five (5) working days. Requests for such extensions, including a justification for the request, should be directed in writing to the Vice President for Business Affairs and Human Resources. Upon completion of the investigation the employee may be returned to work without penalty, placed on disciplinary suspension, discharged, or subjected to more moderate disciplinary action as deemed appropriate to the circumstances by the responsible administrator. The facts surrounding investigative suspension shall be documented with a copy to the employee and the Division of Human Resources.

Discharge is the involuntary termination (other than a Layoff/Reduction in Force) of an employee by a responsible administrator. The discharge of a nonprobationary Regular Classified Staff employee shall not occur unless there is a serious violation(s) or repeated violation(s) of ABOR, University, and/or departmental rules or policies, or an uncorrected failure to meet job requirements. A **predischarge meeting** shall be scheduled and shall precede the decision to discharge a nonprobationary Regular Classified Staff employee. Prior to initiating the discharge of a nonprobationary Regular Classified Staff employee, the responsible administrator shall notify the Division of Human Resources in accordance with Policy 404.0 [4] (Pre-discharge or Suspension without Pay Meeting Policy) herein.

If circumstances do not permit contacting the Division of Human Resources, or time does not permit proper assessment of the incident or the employee's past record, the employee may be placed on investigative suspension.

Following the above steps, the affected employee shall be notified in writing of:

1. The reason for discharge.
2. The facts of and conclusions drawn from the pre-discharge meeting.
3. The effective date of discharge.
4. The employee's right to appeal the action by initiating a dispute resolution request.

The appropriate payroll documents shall be processed in a sufficiently timely manner to ensure that any discharged employee receives all wages due within seven working days following the discharge date or on the next regular payday, whichever is sooner. Note this time frame may be shorter for out-of-state employees.

Related Information*

Predischarge/Suspension Without Pay Meeting Policy [5]

Prior to initiating disciplinary action beyond the coaching level, please contact your Human Resources Consultant [6] for guidance. Your consultant can provide you with templates for all steps of the disciplinary process.

Revision History*

Hyperlinks to letter builders removed.

Source URL: <http://policy.web.arizona.edu/employment-human-resources/disciplinary-action>

Links

[1] <http://policy.web.arizona.edu/employmenthuman-resources/classified-staff-rules-conduct>

[2] <http://policy.arizona.edu/human-resources/nondiscrimination-and-anti-harassment-policy>

[3] <http://policy.web.arizona.edu/employmenthuman-resources/staff-dispute-resolution-procedure>

[4] <http://policy.web.arizona.edu/employmenthuman-resources/predischarge-or-suspension-without-pay-meeting>

[5] <http://policy.arizona.edu/human-resources/predischarge-or-suspension-without-pay-meeting>

[6] <http://hr.arizona.edu/supervisors/consulting-services>