

Human Resources Policy Manual

Topic: Employee Counseling and Progressive Discipline Policy

Policy # 400.00 **Version:** 1.1 **Effective Date:** 9/17/2001

Purpose:

It is the stated goal of the University to advance the intellectual and social condition of all the people of the state through quality programs of research, instruction, and service. Each employee of The University of Alabama should strive to contribute to the realization of this stated goal as he or she goes about the performance of work tasks.

However, situations arise and human reactions occur that cause employees to lose focus on the University's worthy goal. When this loss of focus occurs, supervisors of employees must implement a method of corrective counseling so employees can return to the pursuit of the stated goal.

Through this policy, methods and procedures to correct and educate employees in regard to loss of focus areas or perhaps even violations of University policy are provided so that employees can return to the pursuit of the stated goal.

To that end, the following progressive counseling and discipline procedure is being implemented. The purpose of the procedure listed here is to encourage and help employees work together harmoniously according to the standards of The University of Alabama.

Policy:

The University of Alabama has adopted a progressive discipline policy. Progressive steps will be followed in employee disciplinary matters except in matters the University, its representatives, or its management determine need to be addressed outside of the progressive system. Normally, the employee's immediate supervisor will administer any appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations and length of time involved. Because of the great variety of situations that may arise, the University may need to make decisions related to employment in a manner other than as provided in this section. Disciplinary actions may take place in several forms. The forms of disciplinary actions are: Verbal Counseling actions; Written Counseling actions; Suspensions; Dismissals. The University's Department of Human Resources should be consulted beforehand when disciplinary action with an employee is necessary.

Verbal Counseling

Verbal counseling sessions may take place between employees and supervisors in situations that are deemed less serious in nature. Every effort to determine and resolve the cause of the problem should be made. At the same time, however, it should be specifically stated that the employee is receiving a formal warning. Documentation of the verbal counseling should be made and maintained in departmental files for verbal counseling sessions.

Written Counseling

Written counseling sessions take place between a supervisor and an employee when the behavior of the employee: is a repeated violation and verbal counseling has been administered; hinders the progress of the department in which the employee works; or hampers the progress of the University. ***Written warnings should be documented on a Corrective Counseling Form (available from the forms section of the Human Resources website). Copies of all written warnings should be distributed as follows: one copy to the employee, one copy to the University's Department of Human Resources for inclusion in the employee's file, and one copy maintained in departmental files under lock and key.***

Suspension

Suspension, or release from duty, is a more severe action that may be used to continue investigations and/or for constructive improvement. Suspensions are issued when it is determined that a second warning would not suffice or that an initial incident is too severe for a warning yet not sufficiently severe for dismissal. Suspensions may vary in length, according to the severity of the offense or deficiency. Where a suspension has failed to produce the proper results, consideration should be given for a more lengthy suspension or the dismissal of the employee.

Copies of all suspensions should be distributed as follows: one copy to the University's Department of Human Resources for inclusion in the employee's file, and one copy maintained in departmental files under lock and key.

Dismissals

An employee's employment may be terminated after other disciplinary measures have failed or when a first time incident occurs that is extremely serious. An employee may be discharged at any time without regard to any progressive steps if he or she commits an offense for which immediate discharge is specified as a penalty or if, in the University's judgment, the employee's continued presence would be contrary to the well-being of the University or its employees. Refer to the "Behavioral Guidelines for Counseling" section for standards regarded as inappropriate behavior. The University's Department of Human Resources should be consulted beforehand when the dismissal of an employee is necessary.

Staff Dispute Resolutions

It is the policy of The University of Alabama to provide a method of work-related dispute resolution to members of the University staff who believe that he or she is affected adversely by the application of a policy, procedure, or practice of the University or a University representative. Staff members have the right to have prompt consideration of the matter by appropriate administrators. Refer to the Staff Dispute Resolution Policy for complete details.

Behaviors that may result in Disciplinary Action

Employees are prohibited from engaging in conduct listed below and may receive discipline up to and including dismissal for doing so. This list has been established to serve as examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee behavior. This list is not exhaustive.

- Displaying a disrespectful and/or inappropriate behaviors toward a student, employee or supervisor;
- Refusing to do assigned work or failing to carry out the reasonable assignment of a manager, supervisor or department head;
- Being inattentive to duty, including sleeping on the job;
- Falsifying a time card or other University record or giving false information to anyone whose duty is to make such record;
- Being repeatedly or continuously absent or late, being absent without notice or reason satisfactory to the University or leaving one's work assignment without appropriate authorization;
- Failing to report an On the Job Injury (OJI);
- Smoking within no-smoking areas or no-smoking operations or any area of the University that must be entered for the conduct of University business;
- Conducting oneself in any manner which is offensive, abusive or contrary to common decency or morality; carrying out any form of harassment including sexual harassment;
- Operating state-owned vehicles, equipment or private vehicles on state business without proper license or operating any vehicle on University property or on University business in an unsafe or improper manner;
- Having an unauthorized weapon, firearm or explosive on University property;
- Appropriating state or student equipment, time or resources for personal use or gain;
- Computer abuse, including but not limited to, plagiarism or programs, misuse of computer accounts, unauthorized destruction of files, creating illegal accounts, possession of unauthorized passwords, disruptive or annoying behavior on the computer and non-work related utilization of computer software or hardware;
- Conviction of a felony;
- Misusing or willfully neglecting University property, funds, materials, equipment or supplies;

- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty;
- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Interfering in any way with the work of others;
- Stealing or possessing without authority any equipment, tools, materials or other property of the University or attempting to remove them from the premises without approval or permission from the appropriate authority;
- Marking or defacing walls, fixtures, equipment, tools, materials or other University property, or willfully damaging or destroying property in any way;
- Willful violation of safety rules or University policies;