

JACKSONVILLE STATE UNIVERSITY
Manual of Policies and Procedures

POLICY NUMBER: I.02.10

DATE: May 1, 1987

REVISION/REVIEW DATES: Mar 1993, May 1997, Sept 2008, Apr 2016, May 2022

SUBJECT: Employee Discipline

APPROVED: Don C. Killingsworth Jr., President

The University uses a variety of different employee disciplinary measures including verbal counseling, written warning, administrative leave and termination. In most circumstances, progressive steps will be followed in employee disciplinary matters. However, the University retains the right to administer discipline in any manner it deems necessary, including immediate termination of employment, depending upon the facts of each situation and the nature of the concern.

Normally, the employee's immediate supervisor will administer any appropriate corrective or disciplinary action. The supervisor may consider the severity of the offense, the employee's job performance, prior violations of work rules and policies, the impact of employee behavior on the institution and other relevant circumstances in determining the appropriate discipline.

Human Resources should be consulted before written discipline is administered and before any employee is placed on administrative leave or terminated.

Verbal Counseling/Verbal Warning

Verbal counseling sessions may take place between employees and supervisors in situations that are deemed less serious in nature. At the same time, however, it should be specifically stated that the employee is receiving a formal warning or counseling regarding the conduct at issue. Documentation of the verbal counseling should be made and maintained in departmental files for verbal counseling sessions with a copy provided to the Department of Human Resources.

Written Warning/Reprimand

If verbal counseling fails to correct the performance or behavior concerns, or the supervisor determines the concerns are serious enough to bypass a verbal counseling, the supervisor, in consultation with Human Resources, shall prepare a written warning/reprimand documenting the misconduct at issue. In most circumstances, the supervisor should meet with the employee to discuss the written warning/reprimand. A copy of the written warning should be: 1) given to the employee; 2) maintained in the employee's department; and 3) provided to the Department of Human Resources.

Recommendation for Termination of Employment

JSU staff employees are considered at will employees meaning either party can terminate the employment relationship for any reason which is not prohibited by law. There are some situations where a supervisor desires to terminate an employee for disciplinary reasons. A recommendation to terminate employment may be made when appropriate, following other disciplinary measures or when an incident occurs that is extremely serious or otherwise merits immediate termination. In the University's discretion, employees may be subject to termination without prior notice or disciplinary action. A supervisor's recommendation to terminate employment must be approved by the Human Resources Director and the division Vice-President or Provost.

Administrative Leave

There may be performance, conduct, safety incidents or other situations that dictate that the most effective action may be temporary removal of the employee from the workplace. When such immediate action is necessary to ensure the safety of the employee or others, to avoid disruption of operations or to facilitate effective investigation of performance or conduct issues, the Division Vice-President, with approval from the Department of Human Resources, may place the employee on administrative leave pending the results of an investigation. Administrative leave may also be recommended as a disciplinary mechanism under this policy. Any request to place an employee on administrative leave must be approved by the Department of Human Resources.

Administrative leave may be with or without pay, provided any administrative leave without pay shall comply with applicable federal and state wage and hour laws.

Behaviors That may Result in Disciplinary Action

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

1. Displaying disrespectful and/or inappropriate behaviors toward a student, employee or supervisor;
2. Refusing to do assigned work or failing to carry out the reasonable assignment of a manager, supervisor or department head;
3. Being inattentive to duty, including sleeping on the job;
4. Insubordination;
5. Fraud or theft;
6. Falsifying a timecard or other University record or giving false information to anyone whose duty is to make such record;

7. Job abandonment¹, excessive tardiness, absenteeism, or leaving one's work assignment without appropriate authorization;
8. Failing to report an On-the-Job Injury;
9. 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;
10. 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;
11. 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;
12. Having an unauthorized weapon, firearm or explosive on University property;
13. Unauthorized use of University resources;
14. 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 unauthorized utilization of computer software or hardware;
15. Engaging in criminal activity;
16. Misusing or willfully neglecting University property, funds, materials, equipment or supplies;
17. Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty;
18. 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.
19. Interfering in any way with the work of others;
20. 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;
21. Marking or defacing walls, fixtures, equipment, tools, materials or other University property, or willfully damaging or destroying property in any way;

¹ If an employee is absent from work without authorized leave for three (3) consecutive work days, and has not contacted his/her supervisor, or other University authority, the employee shall be considered to have abandoned the position and voluntarily resigned from the University. If the employee's absence is for reasons beyond the control of the employee, and the employee notifies the University as soon as practical, the University will review the circumstances surrounding the absence on an individual basis to determine if the absence should be considered job abandonment.

22. Willful violation of safety rules or University policies;

This policy does not create a contract implied or expressed, with any University employees, who are employees at will. The University reserves the right to administer discipline as appropriate depending upon the circumstances of the situation and the nature of the offense. The University reserves the right to modify this policy, at any time, at the discretion of the University.

Scope

This policy applies to all University employees except to the extent the Policy is inconsistent with: 1) an employee's written employment contract; or 2) any rights accruing to a tenured faculty member as set forth in the Faculty Handbook.

RESPONSIBILITY

The Department of Human Resources has responsibility for this policy.

EVALUATION

This policy will be evaluated every five (5) years by the Director of Human Resources.