

ARTICLE __
~~DISCHARGE AND DISCIPLINE~~

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4 __.1 Policy. Employees are subject to disciplinary action, up to and including discharge, for just
5 cause, including but not limited to, for violating University procedures, policies, rules, and
6 regulations, contract provisions, personnel directives, or general orders. Employees shall
7 be provided notice and a written statement of any disciplinary action taken (excluding oral
8 reprimands). Due process shall be provided prior to any final decisions regarding
9 disciplinary actions (excluding oral reprimands).

10 __.2 Discipline Defined.

11 Discipline of bargaining unit employees shall be progressive and shall be for just cause.
12 Just cause is defined as incompetence or misconduct, including lack of collegiality. Lack
13 of collegiality may significantly impair a faculty member's, or their colleagues', ability to
14 perform their duties.

15 Certain actions by their nature may be severe enough, however, to justify deviating from
16 progressive disciplinary principles, and result in immediate discharge of employment or
17 other disciplinary action. Forms of discipline may include, but are not limited to:

- 18 1. oral counseling and/or reprimand;
19 2. written reprimand;
20 3. suspension without pay; and
21 4. discharge of employment.

22 ~~Members are entitled to due process prior to any decisions regarding discipline.~~
23 ~~An impartial investigation shall be conducted. Discipline shall be justifiable and reasonably~~
24 ~~related to the extent of the offense.~~
25 ~~Discipline shall be administered fairly and objectively.~~

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29 __.3 Procedures

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For the University

For the UFF

Mark Bonfanti
Chief Negotiator

Candi Churchill
Chief Negotiator

Date

Date

- 31 (a) Employees shall have the right to review their official personnel file upon request. The
32 employee shall have the opportunity to submit a written statement responding to any
33 written reprimand issues. The employee’s responding statement will be entered in the
34 personnel file included with the written reprimand.
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- 36 (b) Employees have the right to request that a union representative attend an investigatory
37 interview where the employee has a reasonable belief that the questioning may lead to
38 his/her own disciplinary action. An investigatory interview occurs when management
39 formally questions an employee to obtain information regarding a specific incident or
40 activity. When an employee is questioned by management, and the employee reasonably
41 believes that the questioning may lead to disciplinary action against him, the employee has
42 the right to request that a union representative be present at the meeting. When an employee
43 requests union representation pursuant to this section, and no union representative is
44 immediately available, the University shall postpone the meeting until a representative is
45 available (provided such postponement is not to exceed seven (7) calendar days), cancel
46 the meeting, or at the employee’s option, continue the meeting without a representative.
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- 48 (c) UFF determines representation per its governing documents. As of March 2018, UFF does
49 not represent bargaining unit employees who are not members in good standing (i.e. union
50 dues unpaid) at the time of an alleged incident.
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Mark Bonfanti
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