

SRSU Policy: DISCIPLINARY ACTIONS POLICY AND PROCEDURES

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Policy Reviewed by: Director of Human Resources

Approval Authority: Vice President of Finance and Operations

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- A. The Office of Human Resources will be responsible for overseeing the disciplinary action process and ensuring compliance with the disciplinary action procedures and will review disciplinary actions for EEO compliance.
- B. Nothing in this disciplinary actions policy will alter the fact that employees of Sul Ross State University are at-will employees and serve at the pleasure of the President and the Board of Regents. Non-tenured employees may be subject to termination at any time without cause.
- C. Disciplinary actions should be based on job performance and job related conduct.
 - 1. Job performance is defined as the employee's ability to effectively perform the functions of the job and should be determined based on demonstrated skills as documented by objective, job related, quantifiable performance evaluations that are consistently applied.
 - 2. Job related conduct is defined as compliance with Texas State University System and Sul Ross State University policy, procedures and work rules that can be objectively defined, measured and documented.
- D. Maintaining objectively defined, consistently applied documentation of employees' job performance and job related conduct establishes the framework for instituting corrective action where employees have violated policies, procedures and/or work rules or failed to meet performance standards. One of the most effective tools that document job performance and compliance with policies, procedures, and work rules is the Performance Planning and Appraisal process.
- E. Below standard performance of assigned job duties and/or job related conduct prohibited by policy, procedures or violations of state or federal laws involving a felony or Class A or B misdemeanor, can result in disciplinary action up to and including termination. Off the job personal conduct shall not be grounds for disciplinary actions unless such conduct is in violation of state or federal laws involving a felony or Class A or B misdemeanor or has a direct adverse impact on the employee's performance or compliancy with university policies and procedures.
- F. Specific job related performance or conduct which represents grounds for disciplinary action up to and including termination, include, but are not limited to the following:

1. Acts of insubordination that involves the refusal to comply with university policies and procedures or supervisory instructions and orders related to the performance of assigned job duties or responsibilities.
 2. Misuse or theft of university funds or property.
 3. Below standard performance of assigned job duties or responsibilities.
 4. Conduct that interferes with the performance of assigned job duties and responsibilities.
 5. Conduct that violates state or federal laws involving felonies or Class A or B misdemeanors related to the employee's official capacity as an agent of the university or adversely impacts the public image of the university.
 6. Conduct that is prohibited by university policies and procedures.
- G. The type of disciplinary actions that may be taken by the President or designee include, but are not limited to, the follow:
1. Verbal Warning: An employee may receive a verbal warning, which shall include the facts and circumstances resulting in the verbal warning. The verbal warning shall be discussed in a counseling session between the employee and the supervisor issuing the warning.
 2. Written Warning: An employee may be issued a written warning, which shall include the facts and circumstances resulting in the written warning. The written warning shall be placed in the employee's personnel file following a counseling session between the employee and the supervisor issuing the warning.
 3. Letter of Reprimand: Such a reprimand shall be in writing and shall include the facts and circumstances resulting in the reprimand. The reprimand will be placed in the employee's personnel file following a counseling session between the employee and the supervisor issuing the reprimand.
 4. Suspension: An employee may be suspended without pay for up to five (5) working days. The facts and circumstances resulting in the suspension shall be documented in writing and placed in the employee's personnel file following a counseling session between the employee and the supervisor responsible for suspending the employee.
 5. Employee Response: The employee shall sign each disciplinary action placed in their personnel file. The signature does not signify agreement, but does acknowledge receipt of the disciplinary action. The employee may also

provide a written response to be filed with the disciplinary action. Any employee's refusal to sign a disciplinary action form will be documented on the form.

6. Involuntary Termination: The facts and circumstances leading up to the recommendation to terminate employment shall be reviewed at all levels of supervision and by the Office of Human Resources. Only the President has final authority to terminate employment.
- H. The supervisor may choose to begin the disciplinary action at any step. However, for conduct which is of a nature that is potentially correctable by the employee and not so undesirable as to warrant immediate suspension or termination, the supervisor shall apply progressive discipline, provided that:
1. In applying disciplinary action, the type of discipline selected must be consistent for all like or similarly situated employees under like or similar circumstances. Therefore, prior to taking disciplinary action the supervisor must identify the type of discipline previously applied to other employees based in like or similar job performance or prohibited conduct.
 2. Where no like or similarly situated employee has previously been disciplined for like or similar job performance or prohibited conduct, the type of discipline shall be limited to a verbal warning, written warning or a letter of reprimand for the first offense, except for conduct involving theft of university funds or property, or violations of state or federal laws involving felonies or Class A or B misdemeanors.
- I. Employees may appeal their disciplinary action, other than termination, through the Grievance Procedure for Staff Employees Section 5.05 of the Administrative Policy Manual.