

<b>Policies of the University of North Texas System Administration</b>	<b>Human Resources</b>
<b>03.403 Staff Employee Discipline</b>	

**Policy Statement.** University of North Texas System Administration employees are expected to perform their job responsibilities and conduct themselves in a manner that instills the highest confidence in the abilities and integrity of public servants. Disciplinary measures may be used to correct performance deficiencies when an employee does not respond to other developmental measures, and immediate disciplinary action may be used to address employee performance and conduct that does not meet work standards of the UNT System Administration.

**Application of Policy.** This policy applies to all regular staff members.

**Definitions.**

1. **At-Will Employment.** “At-Will Employment” means an employment relationship of indefinite duration that may be terminated by either party, at any time, without cause or for any reason except one that is unlawful.
2. **Disciplinary Actions.** “Disciplinary Actions” mean actions taken by management to address and correct deficient work standards or employee conduct.
3. **Management Position.** “Management position” means a faculty or staff position that has supervisory responsibilities over and authority to hire and terminate staff employees.
4. **Staff Employee.** “Staff Employee” means an individual who is employed part-time, full-time, or in a temporary capacity. “Staff employee” does not include faculty, employees under contract, or individuals who are required to be students as a condition of employment.
5. **Reviewing Official.** “Reviewing official” means an employee who is responsible for reviewing a termination decision and who: (1) serves in a management position above the individual taking the termination action and in the area in which the terminated employee worked, and (2) has authority to take remediating action.
6. **Workday.** “Workday” means a day when the UNT System Administration is open for official business, excluding days when only essential personnel are required to work.

7. **Work Standards.** “Work Standards” mean policies, procedures, needs of the unit, and standards of work-related performance and employee conduct established by the System Administration or a department.

### **Procedures and Responsibilities.**

1. **Disciplinary Actions.** Supervisors are responsible for informing employees when their work performance does not meet expectations or when they fail to comply with policies, procedures, work standards and standards of conduct established by the System Administration. Progressive discipline is encouraged when a supervisor believes it serves to develop the employee and is in the best interest of the System Administration. However, any of the following disciplinary actions may be used without prior disciplinary measures having been imposed:
2. **Oral Warning.** A discussion in which the supervisor explains why an employee’s work performance or conduct is not meeting expectations. Additionally, an oral warning details steps the employee must take to correct the deficient performance or conduct or to prevent further occurrence.
3. **Written Warning.** A memorandum or letter to the employee in which the supervisor identifies areas of deficient performance or concerns about employee conduct and places the employee on notice that more severe disciplinary action will be taken in the absence of sustained improvement or positive change in conduct. Supervisors who plan to issue a written warning are encouraged to consult Human Resources prior to its issuance.
4. **Disciplinary Suspension.** An interruption of work, without pay, for a determined number of days.
  - a. A disciplinary suspension must be presented to an employee in writing and include, at a minimum, the reason or reasons for suspension, and the dates the suspension begins and end.
  - b. Supervisors who wish to suspend an employee must consult Human Resources prior to issuance.
  - c. Disciplinary suspensions of exempt employees may be imposed for one or more full days for violation of a major safety rule or for a serious infraction of workplace conduct rules, including but not limited to violation of the sexual harassment, workplace violence, and drug and alcohol policies; and violation of state or federal law. Disciplinary suspension of exempt employees for any other reason must be in full work-week increments.

5. **Involuntary Discharge.** The immediate termination of employment. Supervisors who wish to terminate an employee must consult Human Resources before taking termination action. If the supervisor determines that the employee should be discharged, the employee must be informed, in writing, of the reason(s) for involuntary termination at the time of discharge. The termination is effective immediately upon delivery of the notice of termination.
  
6. **Basis for Involuntary Termination.** All involuntary terminations, except discharges listed in paragraph 8 below, must be based on the employee's failure in one or more of the following responsibilities to be:
  - a. Prompt and timely in attendance.
  - b. Honest in all work-related communications, disclosures, submissions, and financial responsibilities.
  - c. Responsive to all lawful work-related requests from a System Administration official and to the needs of the work unit.
  - d. Respectful, cooperative and professional to all.
  - e. Competent in fulfilling the responsibilities of the position.
  - f. Compliant with all federal and state laws, and applicable Regents Rules, System Regulations, and System Administration policies.
  
7. **Review of Discharge.** All staff employees, except those who report directly to the Chancellor, may request review of a termination action by a reviewing official in accordance with this policy. Staff employees who report directly to the Chancellor may not request review of a termination action.
  - a. A request for review must be submitted to the reviewing official no later than five (5) workdays after the staff employee receives notice of termination or after the employee receives notice of a decision by a reviewing official, as applicable. All requests for review must be made by the terminated employee, in writing, and must state the reason(s) the employee disputes the termination and the relief sought.
  - b. Staff Employees reporting to a position other than a Vice Chancellor:
    - i. Staff employees reporting to a position other than a Vice Chancellor are allowed two levels of review.

- ii. A second review, if requested, must be conducted by a person in the position of Vice Chancellor or the Chancellor, and must be submitted to Human Resource within five (5) workdays after the staff employee receives notice of completion of the first level review.
  - iii. The decision of the second reviewing official is final.
- c. Staff Employees reporting directly to a Vice Chancellor:
  - i. Staff employees reporting directly to a Vice Chancellor may request review of the decision by the Chancellor.
  - ii. The Chancellor's decision is final.
- d. A reviewing official must consider all written information submitted by the terminated employee for review and has sole discretion to allow the employee to present information in person. A reviewing official may obtain and consider any additional information he or she believes is appropriate in performing the review. A reviewing official must inform the staff employee of the reason(s) for the decision, in writing.
- e. The entire review process shall be completed no later than forty-five (45) workdays from the date the first request for review is received by the appropriate reviewing official. The Chancellor may authorize an extension when delay is attributable to the terminated employee or when delay is outside the control of a reviewing official. The authority to grant an extension may not be delegated.
- f. In the event a terminated employee makes an allegation of a nature that requires investigation during the review process (such as discrimination, harassment, retaliation or a violation of other policies), the allegation will be referred to the appropriate office to determine whether an investigation is warranted and the review process will be suspended until a determination is made by that office. Suspension of the review process for purposes of making a determination under this section does not extend the time for completing the review process unless approved by the Chancellor, in writing.
- g. No action may be initiated to fill the position of a staff employee who has requested review until the review process is complete.

Responsible Party: Employees, Supervisors, Reviewing Officials and Chancellor

8. **Involuntary Terminations Other Than Discharge.** Discharges for reasons other than performance or conduct are governed by other UNT System Administration policies.
9. **At-Will Relationship.** No provision of this policy shall confer rights to employees that are contrary to the employment-at-will relationship.

**References and Cross-references.**

UNT System Regulation 05.100

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