

# EMPLOYEE DISCIPLINE

Occasionally, it is necessary to counsel employees for violation of University policies, rules, regulations, major infractions, and marginal performance and misconduct. Our goal at Denison is to be constructive and corrective in disciplinary matters. Managers are urged to discuss marginal work performance and employee conduct in a constructive manner when these incidents occur and during annual performance reviews, with the goal of improving behavior to a satisfactory level.

Disciplinary action could result in immediate termination of employment if the employee's behavior falls under the Major Infractions Policy. Otherwise, disciplinary action will normally follow the guidelines in the Marginal Performance policy. However, Denison reserves the right to advance any step in the progressive disciplinary procedure set forth in the Marginal Performance policy should the University deem it appropriate or necessary to do so.

## Marginal Performance

Marginal performance includes, but is not limited to, the following: failure to satisfactorily perform job responsibilities; inconsistent job performance, consistent errors in work; noncompliance with University policies and procedures; inability to perform assigned work; personal misconduct; and unsatisfactory absenteeism and/or tardiness.

Providing feedback to employees regarding work errors and other problems related to job performance is an ongoing responsibility of managers. Prior to beginning the progressive disciplinary procedure described below, a manager should already have met with the employee to discuss the problem and ways to improve performance. If performance problems continue after these informal meetings are held with the employee, then the following procedure should be followed.

1. **Verbal Warning.** The manager meets with the employee to discuss the performance problem, making sure that the employee understands the problem and the behavior changes that are needed to solve the problem. The manager will document the discussion in a memo, providing the original to the employee and a copy to the Office of Human Resources for the employee's personnel file. The memo will inform the employee that the verbal warning is part of the Marginal Performance policy and that future performance problems will lead to a maximum of one more verbal warning or a written warning.
2. **Written Warning.** If after one or two verbal warnings performance is not improved to a satisfactory level, the employee will receive a written warning. The employee will be given a review period of up to 6 months, time period to be determined at the discretion of the manager and the Office of Human Resources, to improve performance to a satisfactory level. The goal of this review period is for the manager and employee to work constructively together to identify performance problems and improve job performance. The employee's performance will be reviewed after the review period and if performance has not improved, then dismissal is likely. The original written warning is given to the employee with a copy to the Office of Human Resources for the employee's personnel file.
3. **Suspension Without Pay.** This may be the next step depending on the circumstances of the employee's marginal performance. This action is always done in writing and the department head is to confer with the Director and/or Associate Director of Human Resources before proceeding to this step.
4. **Dismissal.** If performance does not improve to a satisfactory level as a result of the written warning, then the staff member's employment

may be terminated from the University. The Director and/or Associate Director of Human Resources must be consulted prior to any action being taken. The manager must write a summary of the marginal performance issues, including steps taken under this policy, attempts at solving the performance problem, and a recommendation to terminate employment, including endorsement by the divisional vice president. A copy of the marginal performance memo will be forwarded to the Office of Human Resources for review and approval. The Director and/or Associate Director of Human Resources must be presented at the dismissal meeting.

## Major Infractions

Major infractions of Denison's policies and practices may result in immediate dismissal without progressive discipline or prior notice. This dismissal is supported in writing, a copy of which is made part of the employee's personnel record. The Director of Human Resources and/or the Associate Director of Human Resources is to be a party to such a decision. (See Note A below)

Major infractions include, but are not limited to, the following:

1. Possession, use or being under the influence of alcohol or illegal drugs on the job.
2. Disobedience, insubordination, or unreasonable refusal to carry out department head's instructions.
3. Stealing of University property or the property of another person.
4. Falsification of time reports including absence or overtime.
5. Failure to report for work for three consecutive days without satisfactory explanation upon return.
6. Fighting on University property
7. Gambling on University property.
8. Willful or continued disregard for University established safety procedures.
9. Willful destruction of University property or the property of others.
10. Falsification of employment records.
11. Possession and/or use of firearms on University property.
12. Any act of immoral conduct or poor citizenship which, in the opinion of the University, may cast unfavorable opinion on the University.

## Notes

A. Staff members may request to have another Denison University employee present at disciplinary hearings/meetings at or above the written warning step.

B. For repeat occurrences the University may begin the disciplinary process at the written warning stage and the third disciplinary process with suspension or dismissal. These are times when employees have gone through some phases of the disciplinary process and had been successful in correcting the problem for a period of time only to later end up back in the disciplinary process for the same or similar problem as before.