



Corrective and Disciplinary Action Procedures

1. Purpose

1.1 UNMC employees are required to meet certain standards of work performance and workplace conduct. When employees do not meet specified standards, Corrective and Disciplinary actions including termination for cause may be warranted.

2. Scope

2.1 The UNMC Corrective and Disciplinary Action Policy is applicable to all UNMC employees to include Office/Service, Managerial/Professional, Faculty, and Other Academic positions. In the case of employees with Faculty appointments, terminations and grievance procedures are also governed by the Bylaws of the Board of Regents of the University of Nebraska (Chapter 4), Board of Regents Policy, and policy and procedures adopted by the individual colleges and the UNMC Faculty Senate.

3. Basis of Policy

3.1 The University of Nebraska Medical Center (UNMC) follows the performance management policies set forth in the University of Nebraska Central Administration personnel policies. For employees with Faculty appointments, terminations and grievance procedures are also governed by the Bylaws of the Board of Regents of the University of Nebraska (Chapter 4), Board of Regents Policy, and policy and procedures adopted by the individual colleges and the UNMC Faculty Senate.

4. Authorities and Administration

4.1 The UNMC Associate Director of Human Resources - Employee Relations is responsible for the administration, implementation, and maintenance of the Employee Grievance Process Policy at the campus level.

5. Procedures

Original Probationary Period

5.1 It is the policy of the University of Nebraska Medical Center that all newly hired regular managerial/professional and office/service employees serve one six-month original probationary period. This original probationary period is an extension of the selection process and is used to determine an employee's suitability for employment at UNMC. The successful completion of the probationary period is not to be construed as granting a property interest in continuing employment.

5.2 Departments in collaboration with Human Resources, Employee Relations may consider dismissing a managerial/professional or office/service employee during the original probationary period with a Corrective and Disciplinary Action termination notice. Please contact Human Resources, Employee Relations at 402/559-4371, 402/559-1237, 402/559-8534 or employeerelations@unmc.edu.

5.3 Unless there is a break in UNMC employment, managerial/professional and office/service employees serve only on original probationary period.

5.4 When an employee's original probationary period ends, a performance evaluation should be completed and retained in the department's files. The successful completion of the original probationary period is not to be construed as granting a property interest in continuing employment.

6. Original Probationary Period Rights

6.1 Original probationary employees have no grievance rights but have a right to a Corrective and Disciplinary Action termination notice. However, employees on original probation who believe that their legal rights with respect to employment have been violated by a termination action may consult with UNMC Human Resources-Employee Relations. Employees raising issues of discrimination and/or sexual harassment, during their original probationary period, may also seek assistance through Human Resources - Employee Relations.

7. Corrective and Disciplinary Actions

7.1 An action taken to address workplace performance and/or conduct deficiencies that are negatively affecting an employee's contribution to the organization.

7.2 Corrective and Disciplinary Actions cannot be administered according to an absolute set of rules; decisions must be made based on the facts of each situation. Corrective and Disciplinary Actions may be taken in progressive order up to and including termination for cause or may be administered as the situation warrants. Management is encouraged to consult with Human Resources – Employee Relations on Corrective and Disciplinary Actions.

7.3 The following criteria should be of assistance to managers and supervisors in determining appropriate workplace conduct. Departments should consult with Human

Resources – Employee Relations at 402/559-4371, 402/559-1237, 402/559-8534 or employeerelations@unmc.edu for detailed information on use of Corrective and Disciplinary Action.

Conduct or actions justifying Corrective and Disciplinary Actions, up to termination for cause, include, but are not limited, to:

Violation of, or failure to comply with, state or federal law. Failure to comply with the published rules, regulations, policies, or procedures of the employing department or of the University. For example:

- An act that causes disruption of work being performed.
- An act or conduct (on-the job or off-the job) that adversely affects the employee's performance and/or the accomplishment of the job.
- An act of workplace violence to include intimidation, threats of violence, acts of violence, and property damage.
- Conviction of a felony.
- Discrimination in the form of sexual harassment or discrimination in the form of prohibited harassment because of protected status.
- Dishonesty of any kind, including but not limited to, theft of property, equipment, or funds belonging to UNMC or to others; use of time, material, or facilities for purposes unrelated to the work of UNMC; removal or borrowing of property, equipment, or funds belonging to UNMC or others without permission; or misrepresentation for the purpose of obtaining employee benefits or privileges.
- Failure to use safety equipment or endangering self or others by engaging in unsafe practices.
- Failure or refusal to comply with a lawful request or to accept a proper assignment from an authorized supervisor.
- Failure to maintain satisfactory working relationships with students, the public, other employees or supervisors.
- Failure to obtain and/or maintain a current license or certification required by law or department standards as a condition of employment.
- Falsification, fraud, or intentional omission of information in University documents or time cards.
- Falsification, fraud, or omission of information in applying for a position.
- Inappropriate or other non-job related personal attacks or repeated harassment of subordinates, co-workers, supervisors, faculty, staff, students, or the public
- Inappropriate use, disclosure, handling or release of confidential or other information not authorized for release.
- Inefficiency, incompetence, or negligence in the performance of duties.
- Insubordinate acts of language toward a supervisor that substantially interferes with and impedes efficient operations or substantially interferes with and impedes the ability of a supervisor to manage or function.
- Possession by employees of dangerous weapons - concealed or unconcealed - on university property, on the worksite, or in University vehicles. A dangerous weapon shall include guns, knives, explosives, or other devices, which in the manner used or intended, are capable of producing death or bodily injury. Employees possessing devices provided to them for purposes of carrying out work responsibilities shall not be deemed to be in possession of dangerous weapons.
- Possession of narcotics, alcoholic beverages, or other unlawful drugs on University property or while performing duties of employment, drinking alcoholic beverages or

- using unlawful drugs while at work, or reporting to work under the influence of alcohol and/or unlawful drugs.
- Repeated tardiness or unauthorized leave, including unauthorized departure from the work area.
- Soliciting or accepting anything of value based on an understanding that one's official action or judgment will be influenced thereby.
- Threats or acts that affect or are perceived to affect the safety, health, or well being of another person.
- Unauthorized or improper use of any type of leave or abuse of meal or rest periods.
- Using one's position for personal gain, including the use of confidential information received through one's position to obtain favor or financial gain (other than compensation provided by law) for oneself or others.

Any other conduct not in the best interest of the University.

8. Types of Corrective and Disciplinary Actions

8.1 UNMC management may take any of the following types of corrective actions:

- **Verbal warning** for inappropriate workplace conduct and/or for work performance deficiencies
- **Written warning** for inappropriate workplace conduct and/or for work performance deficiencies
- **Suspension with pay**
- **Suspension without pay**

Termination/Discharge for cause

8.2 Departments and managers issuing any type of Corrective and Disciplinary Actions should complete the Corrective and Disciplinary Action Form in consultation with Human Resources-Employee Relations, to ensure that UNMC procedures are followed.

8.3 When imposing any Corrective or Disciplinary Action management should confirm the facts, and if appropriate to the circumstances, provided the employee an opportunity to respond and/or explain their actions or behavior.

9. Verbal Warning

9.1 A verbal warning may be given to alert an employee to specific deficiencies (failure to meet work product standards or workplace/conduct standards). A verbal warning consists of a discussion in which the supervisor verbally advises an employee of their performance or conduct deficiencies and recommended corrective action. Notes regarding the meeting should be kept in departmental files.

9.2 The supervisor should explain in detail the reasons for the verbal warning, describe the problem, and listen to the employee's response. The meeting should end with a plan of action for correcting the problem. Notes describing the meeting, verbal warning, and plan for action should be kept in departmental files.

10. Written Warning Notice of Correction and Disciplinary Action

10.1 A Written Warning Notice may be given to an employee when other efforts to correct performance or conduct deficiencies have failed or as a first corrective and disciplinary action when the performance or conduct deficiency is serious enough to warrant a written reprimand. A Corrective and Disciplinary Action - written warning notice consists of a written document, which may be in the form of a letter or on the Corrective and Disciplinary Action Form. The Corrective and Disciplinary Action - written warning notice will describe the deficiency; include a plan for corrective action, and a time frame if applicable. The employee should sign and date the written notice and may provide a written response presenting information on their own behalf.

10.2 The employee should receive a copy of the Corrective and Disciplinary Action written warning notice. The employee should also be apprised of their rights to the UNMC grievance process.

11. Suspension with Pay

11.1 In the event that an employee's presence on campus during an employment situation investigation or actual employment may endanger others, present a risk to UNMC, or if it is required that an employee not return to the workplace until an employment situation investigation is complete and an employment decision has been made, the employee may be suspended with pay, until the employment situation investigation is completed and/or the employment decision is made.

11.2 Management must consult with Human Resources-Employee Relations before suspending an employee. To contact Employee Relations please call 402/559-4371, 402/559-1237, 402/559-8534 or employeerelations@unmc.edu.

12. Suspension without Pay – Note: Suspending an employee without pay requires the prior approval of the UNMC Assistant Vice Chancellor – Executive Director of Human Resources

12.1 Suspension without pay is appropriate when other efforts to correct unsatisfactory work performance or conduct have failed. It is also appropriate as a first Corrective and Disciplinary action when the immediate supervisor considers the unsatisfactory work performance or conduct to be serious enough to warrant a severe penalty.

12.2 After considering the circumstances the supervisor, with the assistance of the UNMC Assistant Vice Chancellor - Executive Director of Human Resources or designee, decides whether to implement the suspension. The period of suspension is without pay and should normally not exceed five workdays. Suspension without pay is implemented by a Corrective and Disciplinary Action to the employee informing the employee of the suspension and the reasons for the action. If an employee is to be placed on "corrective probation" upon return to work, that fact should be included in the Corrective and Disciplinary Action form.

12.3 Employees on suspension without pay will not be granted vacation, sick, floating/banked holiday, or regular holiday leave, nor may they use compensatory time previously earned to avoid being without pay.

12.4 If a corrective probationary period follows a suspension without pay, it must be done with the consultation of Human Resources-Employee Relations to ensure that it is reasonable and related to the suspension without pay.

13. Termination for Cause

13.1 Management, **in consultation with Human Resources-Employee Relations**, may terminate employees for cause when employees fail to meet department, unit, or UNMC work performance or workplace conduct standards. Note: Either the employee or UNMC may also end the employment relationship under Policy 1006, Employee Separation. You may contact Human Resources, Employee Relations at 402/559-4371, 402/559-1237, 402/559-8534 or employeerelations@unmc.edu.

13.2 Any employee (except probationary employee) considered for "Termination for Cause" will be given a pre-termination hearing. At the pre-termination hearing employees will be given the opportunity to be informed about why termination is being considered and to present information on their own behalf. If, after the hearing, "Termination for Cause" is recommended, the employee will be given a Corrective and Disciplinary Action termination notice and will have access to the UNMC grievance process [UNMC Policy No. 1020, Employee Grievance Process](#).

13.3 In accordance with Loudermill, any employee (except probationary employees) considered for "Termination for Cause" will be given a pre-termination hearing. In such cases, the individual will be notified in advance in writing of the time and place of the pre-termination hearing and will be afforded the opportunity to present information on their own behalf.

14. Grievable Corrective and Disciplinary Actions

14.1 For any of the following Corrective and Disciplinary Actions, employees (except probationary employees) may file a grievance under [UNMC Policy No. 1020, Employee Grievance Process](#) or the applicable faculty procedure.

- Written warning of Corrective and Disciplinary Actions for inappropriate workplace conduct and/or work-performance deficiencies
- Suspension without pay
- Termination for cause

15. Rehire Eligibility

15.1 Persons dismissed for cause from UNMC or from any University of Nebraska campus are not eligible for rehire without prior approval of Human Resources. Persons leaving UNMC while under Corrective and Disciplinary Action or those whose performance is documented as below satisfactory may not be eligible for rehire. Persons dismissed for gross misconduct from UNMC or from any University of Nebraska

campus are not eligible for rehire at UNMC. Questions relative to an applicant's eligibility for re-hire should be directed to Human Resources.

16. Notice of Non-Discrimination

16.1 Please see UNMC's [Notice of Non-Discrimination](#) regarding the University of Nebraska Medical Center's commitment to creating a diverse and inclusive working and learning environment free from discrimination and harassment.

For additional information, contact Human Resources, Employee Relations at employeerelations@unmc.edu.

[Corrective and Disciplinary Action Policy 1098](#)

[Corrective and Disciplinary Action Form](#)