

### Counseling

At the first indication of a problem, prior to issuing a formal disciplinary notice, the supervisor should counsel an employee on appropriate behavior and document such counseling in writing. Documentation can take the form of a memorandum to the employee from the supervisor, with "Counseling Memo" or "Documentation of Counseling" as the subject, which describes the problem behavior and outlines necessary corrective action and/or future behavioral expectations. However, if the employee has previously been counseled about the behavior or the behavior warrants discipline after just cause has been established, an appropriate level of discipline should be administered.

### Discipline for Probationary Employees without Regular Status in Any Class

During the probationary period, the supervisor should work closely with the employee to ensure he/she is aware of work standards and behavioral expectations. Any violation of such standards or expectations should be documented in writing. The supervisor may counsel the employee, use a form of progressive discipline, or terminate the employee, as appropriate for the specific circumstances.

If termination of the employee is appropriate, the employee is notified in writing of termination based on failure to successfully complete the probationary period (see Notification of Termination during Initial Probationary Period). The employee may be given two weeks' notice or less, depending on the specific circumstances.

### Discipline for Employees with Regular Status

Reasons for just cause include, but are not limited to, those described in the USF Progressive Steps for Disciplinary Action. Inability to perform assigned duties and/or substandard performance of assigned duties on a continuing basis may be considered just cause for incompetence.

Disciplinary actions may include oral reprimand, written reprimand, disciplinary demotion, disciplinary reduction in pay, suspension, and dismissal.

**Oral Reprimand** – A documented conversation between a supervisor and an employee about a behavioral problem. It is intended to get the attention of the employee and to identify the problem and what corrective action is expected.

- The employee should be specifically told that an oral reprimand is being issued, the reasons for such reprimand, and that future unacceptable behavior may result in more severe discipline.
- This conversation should be confirmed in writing (see Oral Reprimand Sample Format). The document should be signed and dated by the supervisor and employee (as acknowledgment of receipt), with the original provided to the employee and a copy maintained by the department. If the employee refuses to sign, the refusal must be noted on the document.
- At the discretion of the supervisor, a copy of the document is forwarded to HR for the employee's official personnel file.
- If the employee provides a written response, it is attached to all copies of the document.

**Written Reprimand** – Applied after an oral reprimand has been issued but no change in behavior has resulted, or it is administered as the first step of progressive discipline if the severity of the infraction warrants. It formally places the employee on notice that corrective action must be taken.

- The reprimand must be approved by the dean/director/designee.
- The document (see Written Reprimand Sample Format) should be signed and dated by the supervisor and employee (as acknowledgment of receipt). If the employee refuses to sign, a notation of the refusal must be noted on the document. The signature of a witness (typically not a peer or the employee) is recommended verifying the employee received the document, especially if the employee refused to sign.

- The original is provided to the employee, a copy is forwarded to HR for the employee's official personnel file, and a copy is maintained by the department.
- If the employee provides a written response, it is attached to all copies of the document.

**Suspension** – Temporarily relieving an employee of duties for up to three workdays and placing him/her on leave without pay. This is usually administered following one or more written reprimands. However, a suspension may be the first step of progressive discipline if the severity of the infraction warrants. An HR Employee Relations Consultant must be consulted in the consideration for suspending an employee.

- The dean/director submits a written request and supporting documents to HR/Employee Relations for suspension of the employee. If the evidence appears conclusive, a written authorization to notify the employee that a suspension is being proposed is provided to the dean/director by HR along with a letter to the employee. The number of days of proposed suspension is based on the nature and severity of the infraction and/or past practice for similar or comparable circumstances.
- The employee has a right to attend a predetermination conference scheduled with an Employee Relations Consultant. The employee may bring a representative and witnesses and/or submit written statements or other documentation. If the employee elects not to attend the conference, a decision is made based on the information available.
- A final decision is made by Employee Relations to either:
  - Delegate authority to the dean/director to proceed with the requested action and notify the employee with a letter provided for that purpose or
  - Advise the dean/director of any changes to the requested action and how to proceed.
- The dean/director issues the letter to the employee by personal delivery or certified mail/return receipt requested (or comparable means), specifying the date(s) of the action.
- During the period between notification of the proposed action and notification of the effective date of the action, the employee is expected to perform his/her duties without disruption. (However, if the situation warrants, the employee may be placed on administrative leave, with appropriate justification.)

**Dismissal** – Separating an employee from the university. It is the most severe form of discipline and is either the initial step in the case of a major offense or the final step in the progressive discipline process. An HR Employee Relations Consultant must be consulted in the consideration for dismissal.

- The steps in the dismissal process are the same as those for suspension, except that, during the period between notification of the proposed action and notification of the effective date of the action, the employee may be placed on administrative leave, with appropriate justification.