University Policies and Procedures

07-05.25 – DISCIPLINARY ACTIONS FOR EMPLOYEES

I. Purpose:

Towson University has established this policy and these procedures to address employee conduct. Disciplinary action may be taken by a supervisor to correct or modify unsatisfactory job performance and unacceptable personal conduct.

II. Definitions:

A. Unsatisfactory Job Performance – occurs when, in the supervisor’s reasonable opinion, an employee fails to satisfactorily meet job requirements as set forth in the employee’s job description or as directed by the appropriate supervisor. In determining whether an employee’s performance is unsatisfactory, a supervisor shall consider any one or a combination of the following factors:

1. the quality of work
2. the quantity of work
3. work habits
4. the timely performance of work
5. related analysis, decisions, or judgment
6. the accuracy of the work
7. the appraisal of result-oriented expectations and behaviors
8. absenteeism or tardiness
9. the ability to follow instructions, directions, and procedures
10. the appropriateness of work performed
11. ability to work well and display appropriate interactions with co-workers, supervisors, and customers
12. other factors that, in the opinion of the supervisor, are appropriate to
determine whether an employee’s performance constitutes unsatisfactory
job performance

B. Unacceptable personal conduct – The determination of unacceptable personal
conduct is made by the immediate supervisor, based on what is reasonably
expected of an employee in the work unit, without the need for issuing prior
warning that these behaviors are unacceptable. Unacceptable personal conduct
includes:

1. job-related conduct that constitutes a violation of state or federal law or
USM and/or Towson University policies and procedures

2. conviction of a felony or an offense involving moral turpitude that is
detrimental to, or impacts the employee’s service to the University

3. the violation of written or unwritten work rules that the employee should
reasonably be expected to be aware of

4. falsification of the University employment application or other
employment documentation

5. insubordination

6. misuse of University property or resources, including records or funds

7. unjustified interference with the order, safety, or efficiency of the work
unit

8. unauthorized disclosure of private, confidential, proprietary, privileged
or controlled information or records

9. falsification of records or reports

10. unauthorized possession, use or distribution of alcohol or controlled
substances, or being under the influence thereof at the work unit or while
on University business away from the work unit

11. improper or unsafe operation of a vehicle owned or leased by the
University

12. possession or use of any firearms or other dangerous weapons on
University premises or while conducting University business off
campus, unless such possession or use has been authorized by the
University
13. theft or unauthorized possession of University property

14. harassment or discrimination, while at work and/or on University business, based on race, color, religion, gender, national origin, sexual orientation, age, disability, or other basis prohibited by state or federal laws and University policies and procedures

15. other acts that, in the reasonable opinion of the supervisor, constitute unacceptable personal conduct

III. Responsible Executive and Office:

Responsible Executive: Associate Vice President of Human Resources

Responsible Office: Office of Human Resources

IV. General:

A. Disciplinary action, as set forth in this policy, should take place at the time the infraction occurs, as soon as it is known to the employee’s supervisor or the University, or as soon as possible thereafter.

B. Towson University (TU) administers corrective discipline that is proportionate to the severity and frequency of the employee’s unsatisfactory performance or unacceptable personal conduct. Where appropriate, disciplinary action may be applied in graduated steps known as progressive discipline. The severity increases as the employee progresses through the steps. This policy it not intended to require a specified sequence of discipline. At all times discipline must be administered in a fair manner and without regard to race, color, sex, age, sexual orientation, disability, religion or national origin. The Employee/Labor Relations Manager is available in the Office of Human Resources for consultation on disciplinary matters.

C. The supervisor must contact the Employee/Labor Relations Manager in the Office of Human Resources prior to imposing any of the following disciplinary actions:

1. suspension

2. demotion

3. termination

D. When appropriate, the employee shall be given coaching on how to correct poor performance or improper behavior, and the opportunity to demonstrate improvement.
E. All written disciplinary action documentation must be signed by the supervisor and the employee acknowledging receipt of the action. If the employee refuses to sign the document, the supervisor shall write “employee refused to sign” on the disciplinary action. The supervisor shall send a copy of the document marked “confidential” to the employee’s last known address.

F. All disciplinary action documentation must be sent to the Employee/Labor Relations Manager in the Office of Human Resources. These documents will be filed in the employee’s personnel file.

G. The supervisor shall advise the employee of their grievance rights and give the employee a copy of the TU Policy 07-08.05, Policy on Grievances for Regular Non-exempt Employees; TU Policy 07-08.10, Policy on Special Action Appeals for Regular Non-exempt Employees; or the Implementing Procedures on Grievances for Regular (non-faculty) Exempt Employees depending on whether the employee is exempt or non-exempt.

V. Behavioral Modification

Counseling Memo – Minor problems can often be corrected through a verbal discussion between the supervisor and the employee. A Counseling Memo is not considered discipline; however, it is usually the first step in modifying an employee’s performance/behavior. The Counseling Memo should include:

A. the reason for the Counseling Memo;

B. a specific description of the performance deficiencies or improper behavior;

C. performance and/or behavioral expectations for the future;

D. a specific and reasonable time for improvement to occur;

E. the consequences of failure to improve the performance or improper behavior;

F. the supervisor’s signature; and

G. a line for the employee’s signature with the statement, “I hereby certify that I have received a copy of this document, and I understand that my signature implies neither agreement nor disagreement.”

VI. Types of Discipline

A. Written Reprimand – The reprimand shall include the same elements as outlined above under Behavioral Modification, Counseling Memo. Supervisors may request the Employee Reprimand Form through the Office of Human Resources
or they may use a memo or letter format. If a memo or letter is used, it should reference the fact that this is a reprimand.

B. Suspension Without Pay – A suspension is a period of leave without pay, generally from one (1) to twenty (20) calendar days, depending on the seriousness of the infraction and the individual situation. All suspensions must begin no later than three (3) working days following the alleged infraction or knowledge of the alleged infraction, with the exclusion of Saturdays, Sundays and legal holidays. All suspension days must be consecutive. Suspensions for continued habitual infractions are typically imposed in the following order: 1, 3, 5, and 10 days. Supervisors shall consult with the Employee/Labor Relations Manager in the Office of Human Resources prior to initiating the suspension. Suspension forms are available in the Office of Human Resources.

C. Demotion – Non-exempt employees may be involuntarily demoted for cause. The supervisor shall consult with the Employee/Labor Relations Manager in the Office of Human Resources prior to initiating a demotion of an employee.

D. Termination – Regular Non-exempt Employees who are no longer serving a probationary period must be terminated “for cause.” Regular Exempt Employees are employed on an at-will basis and shall be terminated in compliance with the USM Policy VII-1.22 Policy on Separation for Regular Exempt Staff Employees and the Towson University Policy VII-1.22 on Separation for Regular Exempt Employees. Supervisors contemplating termination of an employee must first consult with the divisional Vice President, Associate Vice President for Human Resources or the Employee/Labor Relations Manager. The President or Associate Vice President for Human Resources shall sign the termination letter. A Personnel Separation Form, available on http://www.towson.edu/hr/, the Forms Repository, must be completed by the Department and sent to the Office of Human Resources.

Related Policies

USM Policy VII-1.22, Policy on Separation for Regular Exempt Staff Employees

TU Policy 07-01.22, Separation for Regular Exempt Employees

TU Policy 07-08.05, Policy on Grievances for Regular Non-exempt Employees

TU Policy 07-08.10, Policy on Special Action Appeals for Regular Non-exempt Employees

Approval Date:

Effective Date: 6/23/2005