

Corrective Action for Temporary Employees

HR



About This Policy

Effective Date:

01-01-1994

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06-16-2014

Responsible University Office:

University Human Resources

Responsible University Administrator:

Vice President and Chief Financial Officer

Policy Contact:

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Scope

This policy applies to University Temporary employees.

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Policy Statement

The Employee Relationship

1. The University's policies, procedures, rules, and regulations are not intended to create a contract of employment, and shall not otherwise create any legal rights or contractual obligations, between the University and the employee. The employer-employee relationship is at-will.
2. An employee may terminate their employment with the University for any reason, with or without cause or notice. Likewise, the University may terminate an employee for any reason, with or without cause or notice.
3. The employment relationship may be modified only by prior written approval of the President, the Board of Trustees, or their designees. Additionally, no employee may be employed under an employment agreement unless the agreement has been approved in writing by the President, the Board of Trustees, or their designees.
4. The University supports a process of progressive discipline to address employee work performance and conduct issues, while reserving the ability to immediately terminate.

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Reason For Policy

The purpose of this policy is to describe the nature of the employer-employee relationship to provide direction for supervisors in addressing employee performance, conduct and discipline issues.

Procedure

Progressive Discipline and Termination

1. Supervisors are expected to regularly communicate with employees regarding work expectations and performance matters, and most employee performance and conduct issues can be addressed in this manner. Supervisors are encouraged to utilize regular performance feedback, as well as performance improvement plans, if needed, to communicate with employees.
2. When formal corrective action is necessary to address an employee performance or conduct issue, supervisors should normally apply the following progressive discipline procedure:
 - a. Depending on the nature and severity of the performance or conduct issue, an initial verbal or written warning of termination may be appropriate.
 - b. If the employee fails to correct or improve the performance or conduct issue, supervisors may terminate the employee following notice and consultation with Campus Human Resources.
 - c. Employees shall not receive paid administrative leave under any circumstance.
 - d. Supervisors shall document the termination in writing, providing a copy to the employee and to the employee's personnel file.
3. The University may in its discretion *immediately* terminate an employee's employment under circumstances where the employee's acts or omissions, whether occurring during work or away from work, cause harm or pose a significant risk of harm to the University or otherwise constitute serious misconduct. Such acts or omissions include, but are not limited, to the following:
 - a. Actions, threats of action, or omissions that harm the safety, privacy, or security of another;
 - b. Harassing or discriminatory behavior in violation of University policy or law;
 - c. Acts of dishonesty;
 - d. Fiscal misconduct;
 - e. Theft of property or taking University property without proper permission;
 - f. Falsification of employment application or University records, giving false information to others, or other fraudulent activity;
 - g. Violation of the Conflict of Commitment Policy;
 - h. Failure to comply with applicable federal and state laws or University policy;
 - i. Habitual or repeated performance issues; or
 - j. Other serious misconduct
4. Following consultation and approval from a campus Human Resources office or University Human Resources, supervisors shall provide written notice to the employee setting forth reasons for termination and the effective date of termination.
5. Indiana University prohibits discrimination based on arbitrary considerations of such characteristics as age, color, disability, ethnicity, gender, gender identity, marital status, national origin, race, religion, sexual orientation, or veteran status.

Open Door "Policy"

The University is committed to working with its employees to resolve any questions or concerns they might have with regard to the University, compensation, working conditions, policies, disciplinary action, procedures, or working relationships with co-workers and supervisors. To fulfill this commitment, the University has developed an open door "policy." Therefore, employees are encouraged to communicate openly with their supervisors or Human Resources to address and resolve any workplace questions, problems or concerns they may have.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to corrective action, up to and including separation.