

# UNIVERSITY POLICY



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## Progressive Disciplinary Policy

**Responsible Office:** Human Resources  
**Effective Date:** September 16, 2024

### Policy Statement

The purpose of this policy is to establish guidelines a supervisor may use when an employee's conduct or job performance is inconsistent with the University's mission, established policies, procedures, standards, and values. When an employee's conduct or job performance is inconsistent with the University's mission, established policies, procedures, or standards, supervisors, in consultation with Human Resources, may use a progressive disciplinary process to determine and formalize the step(s) necessary to correct the situation. However, not all performance or behavior issues are created equal, and some performance or behavior issues may result in immediate termination or discipline that skips over steps, perhaps several steps, in the progressive discipline process. Steps of the progressive discipline process may be omitted or repeated depending on the frequency, severity, and/or nature of the issue exhibited. Nothing in this policy changes an employee's "at-will" employment status and the University always maintains the right to terminate an "at-will" employee's employment in its sole discretion.

### Scope

All full-time and part-time employees.

### Policy

Supervisors are expected to provide ongoing performance feedback, coaching, and training as part of their approach to managing employees. Using informal remedial actions such as these help supervisors identify performance and/or behavior issues when they begin. Many employee performance and conduct issues can be resolved in this manner.

The University supports the process of progressive discipline to address employee work performance or conduct issues when informal coaching has been ineffective while reserving the ability to immediately terminate in instances of serious misconduct. Supervisors must consult with Human Resources before beginning the progressive discipline process to discuss performance concerns, review prior communications that have taken place related to performance expectations, and remedies that have been implemented to resolve the issue(s).

If it is determined that formal corrective action is appropriate, the following progressive discipline steps may be used:

- Verbal Warning
- Written Warning
- Final Warning
- Termination

Less severe forms of discipline may be used to correct minor job performance or behavior issues and more severe forms of discipline may be used for severe or repeated job performance or behavior issues. At all stages of progressive discipline, supervisors should provide notice to the employee regarding the performance or conduct at issue and provide the employee an opportunity to respond.

Following notice and the employee's opportunity to respond, supervisors should determine the appropriate action. Employees may request a meeting with Human Resources concerning problems with performance or conduct.

The progressive discipline process is not applicable during the introductory period for new hires, recently promoted employees and employees who have recently transferred to a new job.

Nothing in this policy replaces University policies on prohibited discrimination, harassment, and retaliation.

## **Procedures**

If it is determined that progressive discipline is appropriate, the following types of coaching/discipline may be used in the University's sole discretion. If appropriate, the supervisor should meet with the employee at each stage of the process, and the following should be clearly communicated:

- The employee's conduct or job performance is inconsistent with the University's mission, established policies, procedures, standards, and values;
- The specific nature of the problem, and examples of the performance/conduct and the gap between it and expected performance;
- The consequences of non-compliance with improvement.

## **Progressive Discipline**

### 1. Verbal Warning

The lowest level of discipline is the verbal warning discussion which is used primarily for minor infractions. The employee should be informed this is the first step in the progressive disciplinary process. The supervisor should initiate a verbal warning using the required form. A copy of the form should be shared with the staff member and provided to Human Resources.

### 2. Written Warning

A written warning may be appropriate after a verbal warning, if additional infractions occur, or as an initial form of discipline if the University deems it appropriate. A written warning may result in the implementation of a Performance Improvement Plan (PIP). The supervisor, in consultation with Human Resources, initiates a written warning using the required form. A copy of the form should be shared with the staff member and provided to Human Resources.

### 3. Final Warning

Depending on the performance or conduct issue(s), including its severity and duration, subsequent or additional warnings may be appropriate and are at the supervisor's discretion, in consultation with Human Resources. A final warning may be issued after required corrective action is unsuccessful or at any time the University deems it appropriate. A copy of the form should be shared with the staff member and provided to Human Resources.

### 4. Termination

Termination may occur for initial, serious infractions or because of repeated job performance or conduct issues. The Vice-President of Human Resources and General Counsel must be consulted prior to involuntary discharge of any employee. Examples of serious infractions that may result in immediate termination include, but are not limited, to the following:

- a. theft of university property or the property of other employees, students or visitors
- b. failure to report for work when scheduled for three (3) consecutive days without notifying or obtaining permission from the supervisor
- c. use, possession, consumption, or sale of intoxicants, including alcohol or controlled substances, contrary to the University's Substance Abuse policy
- d. threatening or inflicting bodily harm against any employee, student, or visitor of the University
- e. falsification of university records, including but not limited to employment applications, other personnel records, expense reports, or time records of self or

- others; intentionally giving false information to management personnel; and  
concealing defective work
- f. unlawful possession of weapons on campus
- g. unlawful harassment
- h. refusal to follow direction from supervisor and blatant insubordination.

Suspension, which can be with or without pay, may be warranted in certain situations to remove the employee from the workplace while an investigation is required. The investigation's outcome determines whether the employee is reinstated (either with or without further disciplinary action) or terminated. Suspension may also be an option for disciplinary action when an employee has committed a serious infraction. Suspensions should only occur after consultation with Human Resources.

**Policy Collaborators:** Office of General Counsel

**Contact Information:** [askhr@butler.edu](mailto:askhr@butler.edu)

**Appendices:** None

**History/Revisions:** Replaces "Corrective Action" in employee handbook