



<b>UT Health Science Center: HR0525-H Disciplinary Actions</b>	
<b>Version 1</b>	<b>Publication Date: 05/25/2022</b>

<b>No./Title:</b> 525 – DISCIPLINARY ACTIONS	<b>Resp. Office:</b> HUMAN RESOURCES	<b>Effective Date:</b> 04/01/1977
<b>Category:</b> Employee Relations	<b>Last Review:</b> 02/26/2020	<b>Next Review:</b> 02/26/2023
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<b>Related Policies:</b> <a href="#">HR0525 – Disciplinary Action</a> <a href="#">HR0640 – Grievances</a>		

## WHO IS AFFECTED?

All regular exempt and non-exempt employees who have exceeded their new hire six-month probationary period.

## PURPOSE

All University of Tennessee Health Science Center (UTHSC) employees are expected to comply with the workplace policies and procedures by conducting themselves in an ethical and responsible manner. The intent of the disciplinary action process is to assist and encourage UTHSC employees in correcting unsatisfactory work performance or conduct.

When disciplining an employee, supervisors should consider the nature of the offense and other factors to help determine the penalties appropriate for each offense. Each supervisor has a responsibility of assuring that employees thoroughly understand their job duties, departmental procedures, and acceptable work performance. It is the employee’s responsibility to be aware of the University policy and procedures made available to them. All disciplinary actions are evaluated on a case by case bases, without bias, to improve the quality of satisfactory service that each individual provides as a UTHSC employee.

## DEFINITION

### Unsatisfactory Work Performance

Unsatisfactory work performance refers generally to failure to carry out job responsibilities or failure to abide by University rules. When managers and supervisors become aware of concerns with an employee’s performance, they should contact Human Resources and receive counsel regarding the appropriate step in the disciplinary action process.

## PROCEDURE

### Disciplinary Process

Supervisors are expected to consistently document an employee’s unsatisfactory performance. This includes, but is not limited to, verbal warnings, letter of expectation, written warnings, final

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written warning, pre-termination, administrative leave with pay or without (due to misconduct investigations) and termination. This may vary on a case by case basis depending on the frequency and/or severity of each separate offence.

**Gross Misconduct**

University policy defines gross misconduct as including, “... theft or dishonesty; gross insubordination, willful destruction of University property; falsification of records; acts of moral turpitude; reporting for duty under the influence of intoxicants; the illegal use, manufacture, possession, distribution, or dispensing of controlled substances or alcohol; disorderly conduct; provoking a fight; and other similar acts involving intolerable behavior by the employee.”

“An employee suspected of theft of University property may not resign as an alternative to discharge unless the approval of the Vice President for Budget and Finance is obtained in advance.”

“An employee terminated for gross misconduct will not receive payment for accrued unused annual leave and is not eligible for State COBRA benefits.”

When it is suspected that gross misconduct has occurred, the supervisor should promptly contact Human Resources. The employee may be placed on administrative leave with pay until an investigation has been completed, if the employee’s continued presence threatens significant harm, or depending upon the specific allegations. Should an investigation confirm gross misconduct, the Associate Vice Chancellor of Human Resources will schedule a pre-termination meeting so that the employee may have an opportunity to contest or respond to the allegations of non-compliance.

**Employee Hearing Process**

**Non-Exempt Employees:** Should an employee disagree with the disciplinary action being taken, he/she may file a grievance under the circumstances outlined in HR Procedure 640 Grievances.

**Exempt Employees:** Should an employee disagree with the disciplinary action being taken, they should contact Associate Vice Chancellor of Human Recourses for further recourse.