Policy 220 Version 1 12/01/2015

**Policy Change Cover Sheet**

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| **This form must be attached to each policy presented. All areas in red, including the header, must be completed; if not, it will be sent back to you for completion.** |
|  | *I****f the changes you are requesting include housekeeping, please submit those changes to*** ***ndsu.policy.manual@ndsu.edu*** ***first so that a clean policy can be presented to the committees.*** |
| **SECTION**:  | 220 Staff Job Discipline/Dismissal |
| 1. **Effect of policy addition or change (explain the important changes in the policy or effect of this policy). Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).**
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| * Is this a federal or state mandate? [ ]  Yes [ ] X No
* Describe change: Adding *Designee* to the policy to update the policy to match the current pre-action business practice. There are 3 HR positions that handle staff employee relations (Director and the 2 Associate Directors of HR). Our practice is if one position assists a supervisor or an employee; that position does not do the independent review of the pre-action.
 |
| 1. **This policy change was originated by (individual, office or committee/organization):**
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| * Office/Department/Name and the date submitted: Office of Human Resources and Payroll, Colette Erickson, 12/01/2015
* Email address of the person who should be contacted with revisions: Colette.Erickson@ndsu.edu
 |
| ***This portion will be completed by Mary Asheim.***Note: Items routed as information by SCC will have date that policy was routed listed below. |
| 1. **This policy has been reviewed/passed by the following (include dates of official action):**
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| **Senate Coordinating Committee:** | 12/11/15 |
| **Faculty Senate:** | 12/15/15 |
| **Staff Senate:** | 12/15/15 |
| **Student Government:** | 12/15/15 |
| **President’s Cabinet:** | 12/15/15 |

The formatting of this policy will be updated on the website once the **content** has final approval. Please do not make formatting changes on this copy. If you have suggestions on formatting, please route them to ndsu.policy.manual@ndsu.edu. All suggestions will be considered, however due to policy format guidelines, they may not be possible. Thank you for your understanding!

**North Dakota State University
Policy Manual
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**SECTION 220
STAFF JOB DISCIPLINE/DISMISSAL**

#### SOURCE: NDUS Human Resources Policy Manual, Section 25

1. A regular staff employee may be dismissed from employment, suspended without pay, changed to a lower pay rate, *or changed to a position with a lower pay rate*, for just cause. Just cause includes conduct related to the employee's job duties, job performance, or working relationships which is detrimental to the discipline or efficiency of the institution in which the employee is or was engaged.
2. The employing department shall notify the employee and the Director of Human Resources/Payroll of the proposed action in writing. The written notice must include:
3. A statement that the supervisor intends to dismiss, suspend, or lower the pay rate of the employee.
4. A statement identifying any policies violated by the employee.
5. A statement of the specific charges against the employee; citing the employee's behavior, dates and/or occurrences, witnesses, and other evidence against the employee.
6. Notice that the employee may provide the supervisor with evidence, explanation, or other information in writing which contradicts the allegations and evidence.
7. Notice of the employee's status until the final decision is made. (i.e. whether the employee to continue working or be placed on leave of absence with pay)
8. A regular staff employee who is being suspended without pay, changed to a lower pay rate for disciplinary reason or dismissed shall be entitled to a pre-action review. This review *will be conducted by the Director of Human Resources/Payroll* or designee and may be limited to the written record including the employee's written response to the allegations, or at the option of the Director of Human Resources/Payroll or designee may be conducted in person. The pre-action review shall be held no sooner than three working days from the time notice as provided to the employee.

	* 1. The review official shall consider all evidence and will make a determination whether there are reasonable grounds to believe the charges against the employee are true and support the proposed action.
		2. The employee and the department head will be notified, in writing, of the review official’s determination. The department head will then give the employee a written notice of his/her final decision. A notice of dismissal, suspension without pay, or demotion must include a written detailed statement of the basis for the action and inform the employee of their right to appeal.

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HISTORY:
New April 1992

Amended June 1997

Amended August 1999

Amended February 11, 2014