Corrective Action for Service Staff (AFSCME Service)  
HR-08-30

Scope

This policy applies to all Service Staff employees represented by AFSCME at Bloomington, IUPUI, and South Bend.

Policy Statement

1. Workplace performance problems are most appropriately handled by discussion and counseling between the employee and supervisor. This Corrective Action policy is applied in those instances in which more formal corrective action may be required.

2. Corrective action, in its literal sense, is action that corrects or improves. Its purpose in the workplace is to correct or improve job-related performance or behavior, not punish. The University will not exercise its right to use corrective action or separate Staff employees arbitrarily or capriciously.
   a. Employees who have completed the new employee evaluation period shall not receive corrective action without just cause.

3. It is the university's policy and practice that corrective action be progressive in nature, beginning with the least severe action necessary to correct the undesirable situation, and increasing in severity if the condition is not corrected.
4. In addition to being progressive in nature, it is important that the degree of corrective action be directly related to the seriousness of the offense and the employee’s record; therefore, it is possible for steps to be skipped or repeated. The specific corrective action that will be taken depends upon the circumstances of the situation.

5. Appropriate corrective action steps prior to separation may include written warnings, suspensions and/or final warning.

6. All of these corrective action steps will not necessarily apply in all cases as a suspension or separation may be warranted on the first occasion of an extremely serious offense.

Procedure

The following procedures shall generally apply to the corrective action process:

1. Employees shall have the right to have a union representative present at any corrective action meeting. Management shall advise the employee of his/her right to union representation at all stages of corrective action. In circumstances where there is a scheduled investigation, interview, or grievance hearing, the union will receive at least 24 hours notice of the meeting and a brief description of the purpose of the meeting. In circumstances that require immediate attention, the union will be given as much notice of the meeting as is practical under the circumstances and a brief description of the purpose of the meeting.
   a. The union representative shall be the union's designated steward from within the employee’s department or area. If the designated steward is not available or if the employee does not want the designated steward, the president or vice president of the campus local will be contacted and asked to assign the chief steward or another union official familiar with the department in which the matter arose.

2. During any meeting concerning a corrective action matter, the employee must be given a reasonable opportunity to ask questions and provide information or an explanation about the conduct or performance that is under review.

3. In cases where corrective action could include separation or loss of pay, the meeting with the employee shall take place and the supervisor must consider the employee-provided information prior to reaching a final decision.
   a. Where the safety of persons or security of property is threatened or to prevent disruption of the workplace, the employee may be required to immediately leave the worksite and be placed on suspension without pay.

4. Employees shall be notified by their supervisor as soon as practical of any work performance or conduct that is subject to corrective action.
   a. In cases involving loss of pay or separation, such notification must be within ten (10) workdays of the incident or the time the supervisor reasonably became aware of the incident.
   b. Investigations must take place in an expeditious fashion and not be used as simply a method to delay action. This policy does not preclude the use of past records and documents of incidents of a related nature to support either party’s case.

5. Written notices of separation must be cleared with the campus Human Resource office before distribution to the employee.

6. Employees shall be provided copies of corrective action taken against them and such corrective action shall be placed in their personnel file.
   a. At South Bend, a copy of such corrective action shall be placed in the employee's personnel file within fourteen (14) days from the corrective action.

7. Supervisory written reports of unsatisfactory work or job conduct of an employee in the representation unit, of which the employee was not made aware, shall not be used against the employee to support a corrective action. The following evidence that the employee was made aware of such reports shall be acceptable:
   a. the employee’s signature or initials on a copy of the report, or
   b. witnessing signature or initials of a steward or officer of the AFSCME local, or
   c. a copy of the report provided to the executive board of the AFSCME local.

8. Provided there has not been a corrective action for an offense of a similar or related nature in the interim, corrective action reports which are twelve (12) months or more from the date of the current offense will not be used for the purpose of imposing additional corrective action on an employee.
a. At Bloomington, provided that there has been no corrective action for attendance related problems during the previous 12-month period, any staff report dealing with attendance problems will be removed from the files after one year.

b. The twelve month limit on the use of corrective action does not apply to any corrective action taken for the following offenses: theft, falsification of University records, sexual harassment, workplace violence, other extremely serious offenses, or other types of harassment prohibited by University policy or law.

9. Employees covered by this policy may file a grievance concerning any formal corrective action in accordance with the procedures and limitations of the Problem-Grievance Resolution policy. During the New Employee Evaluation Period of a Staff employee, no matter concerning the corrective action, layoff or separation of such employee shall be subject to the Problem-Grievance Resolution policy.

Sanctions

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

History

In the Spring of 2012, Indiana University administration and AFSCME Council 62 leadership worked to merge the personnel policies covering Service (SM) Staff at Bloomington, IUPUI, and South Bend into one set of policies. This is one of the 27 policies that is the product of their work. Effective July 1, 2012, it brought together the provisions that were the same on all three campuses; eliminated differences when agreement could be reached; and identified those provisions in which differences remained.