

UMSL

**UNIVERSITY OF
MISSOURI – ST. LOUIS**

**Manager/Supervisor Human
Resource Manual**

**EMPLOYEE DISCIPLINE &
SEPARATION MANUAL**

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Employee Discipline

As a manager, you compare your employees' performance and behavior to expectations you have communicated to them and then follow up fairly, consistently, and quickly when they deviate. Since employees' performance and behavior is their responsibility, you can use the University's disciplinary process to bring concerns to your employees' attention so they recognize the importance of acting to correct issues before they become major problems. Hopefully, you will be able to guide them back to satisfactory job performance. Unfortunately, sometimes you will have no choice but to terminate employees who cannot perform satisfactorily.

Reasons for Disciplining an Employee

- Excessive absenteeism or tardiness
- Poor or negligent performance
- Violation of a rule/policy/procedure
- Inappropriate interactions with managers, co-workers, or customers
- Conduct which "brings discredit" on the University

Goals of Employee Discipline ... not to punish

- Inform the employee of poor job performance or unacceptable behavior
- Clarify what constitutes satisfactory performance or behavior
- Instruct the employee on what action must be taken to correct the performance or behavior problem
- Obtain employee ownership of the problem by reaching agreement with the employee on the course of action, if possible
- Inform the employee of what action will be taken in the future if expectations are not met

Suggestions

- Do not ignore a performance or behavior problem. Ignoring the problem gives the appearance of sanctioning the performance or behavior, of inconsistency, or of a personal attack when you finally address it
- Be timely – address the concern as soon as possible
- Keep it private
- Be specific about the incident which prompted the action
- Keep it focused on the specific concern and the employee involved
- State the effect of the misconduct or poor performance
- Be firm, but open, empathic and non-confrontational
- Be supportive
- Obtain written acknowledgement from the employee, if possible
- Document the conversation
- Submit a copy of the disciplinary action to HR for the employee's file

Important: Before taking any disciplinary action, be sure to discuss your specific situation with Human Resources.

Progressive Discipline

Progressive discipline ensures that employees have been adequately warned and given an ample opportunity to correct their work problems before they are terminated. It consists of three increasingly severe steps before termination. The work problems addressed in the steps may be unrelated, and there may be a gap of up to two years between steps before supervisors must start over with an oral warning.

- Oral Warning (employee must be informed that it is an oral warning)
- Written Warning
- Disciplinary Suspension (usually three days for an hourly employee)
- Discharge

Probationary employees and employees who function in executive, administrative, managerial, professional and supervisory positions are not typically subject to progressive discipline. However, these employees must be clearly informed of the concern and the consequences of not meeting expectations, then given a reasonable opportunity to meet them. For assistance in conducting counseling during the probationary refer to the Disciplinary Action Preparation Form ([exempt staff](#) or [non-exempt staff](#)).

Summary Discharge

- Disciplinary action that occurs without prior warnings or attempts at progressive discipline due to the seriousness of the incident.
- Includes such incidents as theft, intoxication on the job, violence or threat of violence, conviction of a felony, and negligent, careless or intentional performance that results in damage to property or individuals or the risk thereof.

Human Resource Policy

For a detailed explanation, see [Policy HR-601 Discipline](#)

To conduct a disciplinary action, click on the appropriate Disciplinary Action Preparation form - [exempt](#) and [non-exempt](#). Be sure to complete these forms in full.

All disciplinary actions and discharges of regular staff employees may be subject to an employee grievance. See [Policy HR-502 Grievance Procedure](#).

For information about disciplinary actions for academic employees see The Collected Rules and Regulations, secs. [310.015](#), [310.020](#), and [310.060](#).

For questions about employee discipline, please contact [James Hertel](#), Executive Director, Human Resources.

Separation from University Employment

Resignation

Employees who resign voluntarily from the University are expected to give at least two weeks advance notice in order to resign their positions in good standing. Supervisors should ask the employee for a letter of resignation, including the effective date.

The above guidelines should also be followed for employees who transfer to other University positions outside of their departments.

Exit Interviews

The purpose of the exit interview is to have employees provide feedback about their work experience since they have a unique perspective on the strengths and weaknesses of our organization. This information is treated confidentially – individual responses will not be reported, just aggregate statistics.

Exit interviews are voluntary and should be scheduled during the last week of employment. Employees may contact Tara VanDeVoorde at 516-5381 to schedule an appointment or they may complete the [online exit interview form](#).

Layoff

It may become necessary to lay off an employee due to lack of work, reduced funding or reorganization. A minimum of two weeks' notice should be given to an employee who must be terminated for these reasons.

Before a decision is made to eliminate a position or lay off an employee for another reason, supervisors must consult with Human Resources to be sure the decision is in compliance with University policies and anti-discrimination and other laws. See [HR Policy 117-Layoff](#) for more information, including return to work privileges.

In the event of a layoff, refer to the following guides:

- [Manager's Layoff Guide](#)
- [Employee Layoff Resource Guide](#)

Discharge

Employees with conduct, performance, or attendance problems may be subject to discipline or discharge in accordance with the University's [Discipline Policy - HR 601](#).

Managers or supervisors planning to take disciplinary action against an employee should consult with Human Resources before taking any action.

Once the decision is made to discharge an employee, supervisors should:

- Confirm the last day of employment.
- Send a letter or memo to the employee informing them of the discharge.
- Document the events leading up to the discharge, including details of the final incident, the date of occurrence, any witnesses, and previous disciplinary actions or related counselings. Send a copy to Human Resources and retain a copy in your department file.
- Submit the discharge letter and PAF Turnaround to Human Resources.
- Determine the appropriate process for removal of the employee's contents from the office or workspace and for securing the computer networks and files.
- Contact the Police Department, if applicable, at 516-5155.

When a decision is made to discharge an employee due to performance or attendance issues, the employee may be given the option of resigning as opposed to being discharged. In such cases, the procedures under Resignation above should be followed. A resignation under such conditions may be viewed as "constructive discharge" by the Division of Employment Security, and the employee may be eligible for unemployment benefits if he or she satisfies other eligibility requirements.

Benefits

Employees who separate from the University should contact the HR Benefits office at 516-5639. The [Life Events Summary](#) describes the effect of separation on an employee's benefits. Please note that accrued personal days are not paid out at the time of termination.

Unemployment Compensation

Employees who are involuntarily terminated for reasons other than misconduct may be eligible for unemployment compensation. Generally, the University will file an initial protest of all claims for unemployment compensation.

- If you receive a Notice of Claim, contact Human Resources immediately.
- If your former employee's claim is denied and he or she decides to appeal, you may be asked to appear on behalf of the University.

Separation Process Summary/Return of Property

For employees who resign voluntarily or transfer to other departments, managers should take the following steps:

- Ask the employee for a letter of resignation, including effective date.
- For the employee who has resigned, ask him or her to contact [Erik Smetana](#) to schedule an exit interview or complete the [online exit interview](#) during his or her last week of employment.
- Submit the letter, PAF Turnaround, and completed and signed [Employee Separation Checklist](#) to HR.

Your department is responsible for initiating the necessary action to ensure that all University property and equipment are returned on or before the employee's last day of work. This [Separation Checklist](#) provides guidelines.

- The employee's key should be given to the proper person in your department. He or she should tape the key to the original key request form and return the key to the Locksmith office. If you have any questions or would like to make special arrangements for the key, please contact the Locksmith office at 516-4215.
- Send the employee's University ID card to HR or the department can destroy it.