

Discipline and Discharge

1. THE CONTENTS OF THIS HANDBOOK ARE INTENDED AS GUIDELINES AND DO NOT CONSTITUTE TERMS AND/OR CONDITIONS OF AN EMPLOYMENT CONTRACT, EITHER EXPRESS OR IMPLIED. ALL EMPLOYEES OF CONVERSE UNIVERSITY ARE EMPLOYEES-AT-WILL WHO MAY LEAVE AT ANY TIME FOR ANY REASON AND WHO MAY BE TERMINATED AT ANY TIME FOR ANY OR NO REASON.

2. 90-day Introductory Period:

All new employees are employed by the University on an introductory basis for 90 days. During and after this 90-day introductory period, the employment remains at the will of both parties. That is, either the employee or the University may terminate the employment at any time, with or without cause. However, an employee who has completed the introductory period and who objects to any disciplinary action is entitled to appeal pursuant to Grievance Procedure V-I.

3. It is not possible to list every conceivable action, event, or set of circumstances for which an employee may be disciplined or discharged, particularly in an academic community such as Converse University. Although this is not an exclusive definition, as an employee may be terminated for any or no reason at all, actions, events, or sets of circumstances that could lead to an employee's discipline, termination, or both include the following:

- unsatisfactory performance of duties;
- unprofessional conduct;
- insubordination;
- suspicion (based on a reasonable investigation), arrest, indictment, or conviction of a crime, particularly a crime involving moral turpitude; and/or
- reduced funding, reorganization, or reduction in force.

Discipline or discharge may also result from violations of common-sense standards of performance or rules governing conduct and performance. Some examples of such standards or rules include:

- carrying weapons of any kind (except for authorized use by Campus Safety Officers) and/or using fireworks on campus;
- violation of the University's service expectations;
- being at work under the influence of any intoxicant, drug, or chemical that interferes with the employee's work performance or that might adversely affect safety, or testing positive for such intoxicants, drugs, or chemicals;
- disorderly conduct;
- taking University property without permission, embezzlement, improper/unethical use of funds;
- damaging property belonging to or entrusted to the University;
- violation of the University's Electronic Communications guidelines;
- violation of federal or state laws governing employment, including, but not limited to, laws prohibiting discrimination and laws affecting safety;
- violation of the University's Harassment policy;
- violation of the University's Solicitation and Distribution guidelines;
- excessive or unauthorized absenteeism or tardiness;
- using excessive or abusive, profane, obscene, or derogatory language;
- misusing the University's work-time, funds, equipment, or property;
- failure to repay money owed to the University; and/or
- refusing or failing to perform reasonable work assigned by a supervisor, including reasonable overtime work.

****This list of standards and rules is not intended to be all-inclusive.***

4. Authorized types of disciplinary action are:

- oral warning (and documentation),

- written warning,
- disciplinary suspension without pay,
- administrative leave, and
- discharge

Administrative Leave - An employee's duties and responsibilities may be suspended with or without pay. At the employer's discretion, designated on or off-campus duties may be defined and assigned while on administrative leave. The University will determine the length of administrative leave.

If an employee has been found to have violated any of the guidelines listed herein, the employee may be suspended without pay, in whole-day increments for a length of time to be determined by the University.

The decision about whether to take disciplinary action and what type of disciplinary action is appropriate rests solely and exclusively with the University in each instance. Any level of discipline may be skipped if deemed appropriate by the University.

5. Converse reserves the right to immediately suspend and remove an employee from his or her job, pending a final decision as to discipline, at any time the administration deems such action necessary. Situations that may lead to immediate suspension and removal of an employee include, but are not limited to, situations in which the Administration deems such action necessary to protect the safety of persons, property, or both.