Considerations When Contemplating Corrective Action/Sanction for Administrative/Professional and Instructional/Research Faculty

Categories of Prohibited Conduct

- Conduct that can be addressed through oral or written warning or counseling
- Conduct that warrants a more significant response than a warning or counseling, but falls short of conduct warranting temporary removal from duties (e.g., training, coaching, probation, etc.).
- Conduct that warrants temporary removal of duties or certain duties
- Conduct that is so severe that termination for cause process is initiated

When determining the appropriate response to conduct that has been found to be a violation of policy or law, the supervisor(s) should consider a variety of factors and whether those factors are mitigating (weighs in favor of a lesser response), aggravating (weighs in favor of a greater response), or neutral (does not weigh in favor of a greater or a lesser response). Factors to consider include, but are not limited to, in no particular order:

- The nature and severity of the conduct (e.g., what type of offense is it and to what degree did the violation occur).
  o Whether the conduct caused harm/adversely impacted others.
  o Whether the conduct adversely impacted the mission of the unit/department/college/university.
  o Whether the conduct was intentional.
- The employee’s position.
- Whether the employee has a history with informal/formal discipline/corrective action/sanction.
- Whether the employee been notified of prior violations of this kind.
  o If so, how much time elapsed since the last violation?
- Whether the conduct is part of a pattern of behavior.
- Whether the employee was on prior notice (formal or informal) regarding their conduct or general behavioral expectations.
- Length of service.
- Whether the conduct impacts the employee’s ability to perform their role satisfactorily.
  o Whether the violation has an impact upon supervisors’ confidence in the employee’s work ability.
- What, if any, responses have been given to others for the same or similar conduct?
- Whether there is potential for the employee to change their behavior.
- Whether there are known alternative sanctions that adequately and effectively deter this behavior from reoccurring (e.g., evidence from other units, the university, or other reputable sources).
- Whether the employee articulated other mitigating circumstances surrounding the conduct.