

Article 10: Discipline

10.1. ~~Corrective Action and Discipline.~~ The University will tailor any corrective action or discipline to respond to the nature and severity of the offense and the ASE's prior disciplinary record.

~~10.1.1. Corrective action may include coaching, counseling, oral/written reprimands and improvement plans.~~

10.1.2. Disciplinary action may include suspension, ~~reduction in pay, any combination of these, or dismissal~~ discharge. No ASE will be disciplined or ~~dismissed~~ terminated during the term of their appointment without just cause.

10.2. Investigations

~~10.2.1. Duty to Cooperate.~~ ASEs have an obligation to cooperate with any investigation conducted by the University. Failure to do so will be considered insubordination and will be grounds for discipline, up to and including termination.

10.2.2. Notification of Investigation. The ASE will be notified in writing when an investigation is opened. This notification will include a description of the allegation, the parties that are involved in the investigation, their right to union representation, and an outline of the investigatory process, including proposed meeting dates.

10.2.3. Union Representation. ASEs are entitled, at their option, to have Union representation during any investigatory interview conducted by the University that the ASE reasonably believes may result in their receipt of discipline. During any such investigatory interview, at which the Union representative shall be afforded the opportunity to speak on behalf of the employee and shall otherwise be entitled to represent the employee.~~a participating Union representative will be given the opportunity to ask questions, offer additional information and counsel the ASE.~~

10.2.4. Administrative Leave. The University may place an ASE on paid administrative leave without prior notice, in order to investigate allegations of misconduct or dereliction of duty which, in the judgment of the University, warrant immediately relieving the ASE from all work duties and/or require removing the ASE from the premises during a disciplinary investigation. ASEs on paid administrative leave are expected to remain available during normal working hours. Paid administrative leave is not discipline. ~~and is not subject to the grievance procedure.~~ The Union will be promptly notified of when an ASE is placed on paid administrative leave. At the conclusion of an investigation of an ASE placed on administrative leave, where the Employer elects not to take

disciplinary action, the ASE will be provided with a notification that the investigation is completed and that no discipline will be imposed. If no disciplinary action is taken, no record of administrative leave will be placed in the ASE's personnel file.

- 10.3. Pre-Disciplinary Procedure: Discipline not resulting in suspension or termination. In the event allegations will not result in the University imposing discipline, the following procedures will apply:

10.3.1. Notice of Intent to Discipline: The ASE and the union shall be provided with a copy of the disciplinary action. The copy will include the disciplinary action, the specific allegations and the employee's right to grieve the disciplinary action.

10.3.2. Representation: The ASE may request a conference with a Union representative and the supervisor to discuss the discipline prior to the disciplinary action being placed in the ASE's file, but not later than fourteen (14) days from the receipt of the copy of the disciplinary action.

10.3.3. The ASE and the union shall be provided with a copy of the disciplinary action. The copy will include the disciplinary action, the specific charges and the employee's right to grieve the disciplinary action.

- 10.4. Pre-Disciplinary Procedure: Contemplation of Suspension or Termination. If the University intends to impose discipline that involves ~~a loss of pay or suspension~~ or termination of employment, the following procedures will apply:

10.4.1. Notice of Intent to Discipline. The University will inform the ASE and the Union of the ~~proposed contemplated~~ discipline in writing within ten (10) business days. ~~The written notice shall describe the event or conduct with sufficient particularity to permit the ASE to understand the reason for the proposed discipline.~~ The notice shall include a statement of reasons for the contemplated action, which shall include the nature of the alleged violation, the level of discipline contemplated, notice of a right to a conference, and notice of the right to Union representation. Upon request, the ASE shall be entitled to any materials (such as an investigative report) that have been prepared, although confidential information and witness statements may be withheld.

10.4.2. Pre-Disciplinary Meeting. The University will schedule a pre-disciplinary meeting to permit the ASE to respond to a notice of intent to discipline at least three (3) business days after the written notice. At the beginning of any pre-disciplinary meeting, the University will describe its proposed discipline and the general reasons for issuing the proposed discipline.

- 10.5. The ASE and the union shall be provided with a copy of the disciplinary action. The copy will include the disciplinary action, the specific charges and the employee's right to grieve the disciplinary action.
- ~~10.6. Right to Grieve Disciplinary Actions. The Union has the right to grieve any disciplinary action as defined above.~~
- ~~10.7. An ASE who is disciplined or discharged shall be entitled to file a grievance at the second step of the grievance procedure.~~