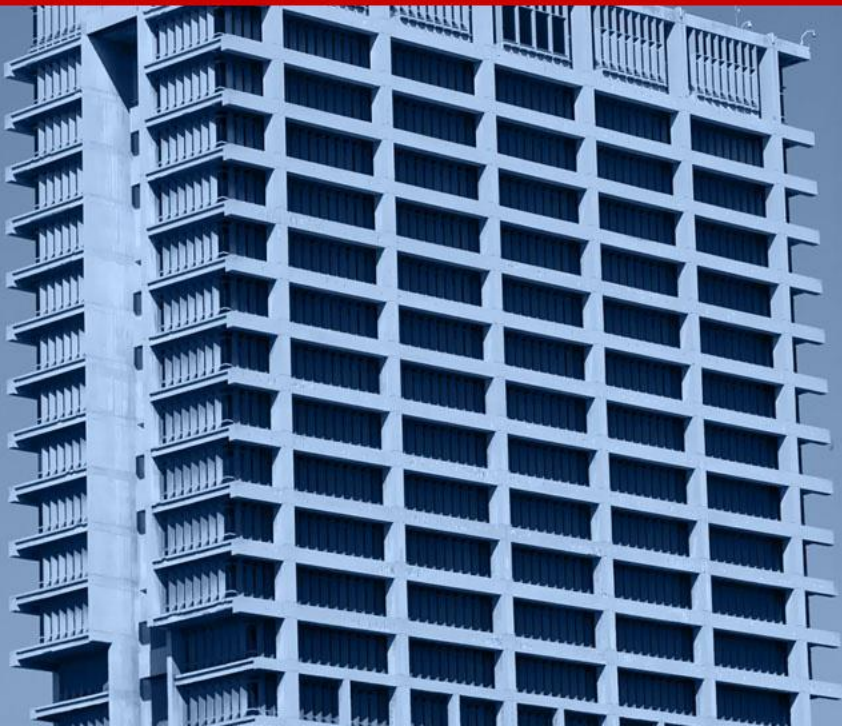


# Discipline Related to Civil Service Employees



## DEFINITION

### **Disciplinary Process at UIC for Civil Service Employees**

- Supervisors/ Managers responsible for disciplinary initiative
- UIC has an established program of corrective/ progressive discipline
- Requires consistent and equitable treatment as well as 'Just Cause''

# Working at UIC 101

Discipline Related to Civil Service Employees

## WHAT YOU NEED TO KNOW

- Role of Employee Relations
- Understand the disciplinary process
- Understand how to document appropriately by using **FOSA**
- Applying the disciplinary process at UIC

## ABOUT THE TOPIC

### **Role of Employee Relations**

Interprets disciplinary process and provisions in:

#### University Policy and Rules

- University of Illinois Policy and Rules for Civil Service Staff, Policy 16.07 Conduct & Discipline

#### Civil Service Statute and Rules

- Civil Service system Statute and Rules, 250.110 D-E Discipline & Discharge

#### Union Contracts

- Refer to UIC HR website to review Articles related to discipline per contract

### **Role of Employee Relations**

Provide advice regarding good business practices

Suggest alternatives to certain actions

- (e.g., re-training or coaching an employee, referring to Employee Assistance Service, or University Health Service)

Assist with resolution of disagreements

- May act as “ombudsman” between employee, supervisor, and union in resolving certain issues
- Suggest referral to Office for Access & Equity (OAE) for Mediation Service

Coordinate and monitor the disciplinary process

## DEFINITION

### **Role of Employee Relations**

#### Conducts

- Pre-disciplinary action meetings
- Intent to discharge meetings, a.k.a. "Reconciliation Meetings"

#### Offers suggestions related to investigations

- Gathering supporting documentation (e.g., written witness statements, photographs, video surveillance tapes, attendance records, work performance examples, departmental work rules/guidelines, contact UIC police)

### ABOUT THE TOPIC

#### Myths: Disciplinary Process

- 1) A Supervisor can never discipline or fire a Civil Service (CS) employee
- 2) Once an **employee becomes status**, they have a job for life
- 3) Unions help make decision regarding disciplining CS employees
- 4) It a CS employee's right to use sick-time whenever the employee wants, until it is exhausted (earn and burn)--**then the Supervisor has to let them use their vacation time**

## ABOUT THE TOPIC

### **Myths: Disciplinary Process**

- 5) A Supervisor can not discipline a CS employee without Union representation
- 6) A Supervisor is 'stuck' with a 'bad' employee; there's nothing he/she can do
- 7) During the performance review process is when an employee should be disciplined



### ABOUT THE TOPIC

#### **Disciplinary Process**

- 1) The University has an established progressive, corrective disciplinary process, including Letter of Warning, 3-step suspensions, up to discharge
- 2) Manager/Supervisor responsible for monitoring work performance, behavior, attendance and initiating the disciplinary process
- 3) Departments should not meet with Labor Union Representatives to discuss disciplinary action without benefit of counsel with Employee Relations Specialist
- 4) Review Sick Leave Usage and approval Policy & Rules, Rule 10.01
  - Sick Time Pattern: Unable to work 10 consecutive workdays a pay-period. Pattern connected to pay day, M/F, earn/burn

## ABOUT THE TOPIC

### **Disciplinary Process**

- 5) Prior to meeting with an employee to discuss any issue that may lead to disciplinary action, the department must advise of the rights to have representation to assist with an explanation of UIC policy and procedure
  - Not necessary if discussing department procedural changes or employee performance review
- 6) Manager/Supervisor responsible for initiating the disciplinary process when employee work performance, attendance or behavior issues apparent
- 7) Cannot use performance reviews to discipline employees; separate from discipline process

## PROCEDURES TO FOLLOW

### Supervisor Empowerment Tools

Provide employees with

- **Established written** work guidelines and expectations
- **Written requirement** to provide substantiation of absence due to illness/personal business
- **Documentation of infractions**
  - Time card or report sheets copied
  - Examples of poor work performance

## PROCEDURES TO FOLLOW

### **Documentation**

Just Cause to discipline/discharge must be established

#### Documentation:

- Documenting work related infractions is one of the most important leadership tasks a Supervisor will undertake
- Proper documentation will greatly increase an employee's understanding of certain work related deficiencies and assist the employee in correcting the problem

## PROCEDURES TO FOLLOW

### **Documentation: FOSA**

**F** - Facts

**O** - Objectives

**S** - Solutions

**A** - Actions

## PROCEDURES TO FOLLOW

### **Documentation: Facts**

When documenting for discipline always include:

- ✓ What
- ✓ When
- ✓ Where
- ✓ Who was involved

**NOTE:** Remember to document observable and specific incidents

## PROCEDURES TO FOLLOW

### **Documentation: Facts**

Leave out the personal, do not discuss feelings, speculation or interpretation of the event

- Poor Example: You were late three times in the past 4 weeks
- Good Example: State date and minutes late

If you do not observe a situation, have the witness provide a written account

- Timely statements, day of incident if possible

## PROCEDURES TO FOLLOW

### **Documentation: Performance Objectives**

Performance objectives should be specific and positive

Use objectives to communicate specific expectations



## PROCEDURES TO FOLLOW

### **Documentation: Performance Objectives**

Set expectations according to:

- Employee's job description
- Departmental work rules/guidelines,
- Operational policies,
- Established productivity/performance standards

Objectives should be measurable and realistic

- Poor Example: You need to be on time everyday
- Good Example: According to departmental expectations employees are required to be at their work stations at the start of their assigned work shift

## PROCEDURES TO FOLLOW

### **Documentation: Solutions**

To help the employee reach his/her objectives:

- ✓ Suggest training
- ✓ Offer help
- ✓ Schedule frequent meetings
- ✓ Provide coaching

## PROCEDURES TO FOLLOW

### **Documentation: Solutions**

Document a timeline in which the employee must meet the established objectives and how the objectives will be met

- Training: Enroll employee in University training (e.g., customer service, computer, etc.)
- Mentoring: Co-worker who is more proficient assist employee
- Meetings: Supervisor and employee meet every Friday to check progress during 30-day period
- Coaching: Meet with employee every morning/weekly to set work schedule, review expectations and assist in meeting objectives

## DOCUMENTATION: ACTIONS

Explain the action you will take if the employee fails to meet expectations

- Set a specific timeline to meet with employee to review progress or completion of assignment/expectations
- Employee may be subject to disciplinary action if he/she fails to meet expectations

## **“A SUPERVISOR’S GUIDE TO EMPLOYEE RELATIONS”**

Available through Labor and Employee Relations

Provides supervisors tools, steps, explanations and examples of specific situations and documents

### PROCEDURES TO FOLLOW

#### **Fitness for Duty**

University employees are required to report for work fit for duty and are required to remain fit for duty during their entire work shift

Employees who are impaired as a result of substance abuse present a particularly serious safety hazard to themselves and to other employees

When you have a “reasonable suspicion” that one of your employees is under the influence of an illegal drug or alcohol, or is unfit to perform his/her job responsibilities, refer him or her to Health Services or the ER depending upon the shift, for evaluation

### PROCEDURES TO FOLLOW

#### **Fitness for Duty**

Discuss the behavior, which leads you to believe that the employee may be impaired, with Health Services or ER and the Labor and Employee Relations Officer before confronting the employee

- Do not accuse the employee
- Simply tell the employee that you are requiring that he/she be medically evaluated before being allowed to work or continue working
- Accompany the employee rather than send the employee
- Supervisor will be notified by Health Services or ER whether the employee is or is not able to work
- If the employee is not able to perform assigned job responsibilities as a result of drinking alcoholic beverages, using illegal drugs, etc., then the employee is subject to discipline or discharge

## PROCEDURES TO FOLLOW

### **Disciplinary Process at UIC**

- 1) Verbal Counseling
- 2) Letter of Warning
- 3) Disciplinary Suspension(s)
- 4) Recommendation for Discharge

**Note:** The disciplinary process may start or move to any step within the established process depending on the severity of the infraction(s)



### PROCEDURES TO FOLLOW

#### **Disciplinary Process at UIC**

It is the Supervisor's responsibility to promptly identify, investigate work related infractions

Contact your Human Resources representative or Employee Relations to discuss recommendations for moving forward

## PROCEDURES TO FOLLOW

### Meeting Notification

Three (3) workdays notification required, include:

- ✓ Specified infractions (charges)
- ✓ Meeting guidelines
- ✓ Supporting documentation

**Note:** According to Illinois Nurses Association (INA) Contract, employees must have 5 days notification

## PROCEDURES TO FOLLOW

### Verbal Counseling

Informal step of progressive discipline:

- ✓ Schedule meeting in a private setting
- ✓ Follow-up memo outlining what was discussed

Counseling is informal and a copy of the memo is **NOT** placed in HR file

## PROCEDURES TO FOLLOW

### **Letter of Warning**

Initial formal step of progressive discipline:

- Pre-disciplinary action meeting held at department level
- If warranted, department will issue follow-up Letter of Warning
- Forward two (2) copies to Labor & Employee Relations

### **Letter of Warning**

Points to consider:

- Letter of Warning is valid for six (6) months moving to next step in progressive discipline process cited in all Local 73 contracts
- Letter of Warning is valid for one (1) year cited in INA contract
- Letter of Warning prevents employees from testing for Civil Service positions for six (6) months

### PROCEDURES TO FOLLOW

#### **Disciplinary Suspension**

Three (3) step unpaid suspension in progressive discipline process:

- Discuss situation, develop charges, schedule pre-disciplinary action meeting with ER Officer
- Caucus with ER Officer  
If warranted, ER Officer prepares Notice of Disciplinary Suspension
- Department serves Notice of Disciplinary Suspension to employee

## PROCEDURES TO FOLLOW

### **Disciplinary Suspension**

Points to consider:

- Per all Local 73 contracts, one (1) year to move to next step in progressive discipline process
- Disciplinary suspension prevents employees from testing for Civil Service positions for one (1) year
- Unpaid suspension affects Civil Service hours

## CONTACT

Labor and Employee Relations

(312) 355-3055

Please contact Labor and Employee Relations to request copies of **“A Supervisor’s Guide to Employee Relations”**