

P&S PROCEDURES FOR REQUESTING AND APPROVING SUMMARY DISMISSAL

Step 1: Prior to Requesting Approval for Summary Dismissal

A request for summary dismissal of a Professional and Scientific (P&S) employee may be initiated by a supervisor, department/unit chair, director, dean, vice president, senior vice president, or the president (or his/her designee). The initiator must have direct or line supervisory responsibility over the employee. If the initiator believes the employee has engaged in research misconduct, the initiator should refer to the Research Misconduct policy rather than the procedures below.

An employee who is under review for summary dismissal may be placed on paid administrative leave if, in the judgment of the initiator and the University Human Resources (UHR) Office of Employee and Labor Relations, continuation on the job until the dismissal determination has been completed may be potentially damaging to the university. Any such administrative leave must be with full pay, and notification must be made in writing by the initiator or by UHR.

In addition, the initiator shall ensure that an investigation is conducted that is appropriate to the circumstances at hand. The investigation will be conducted by UHR in collaboration with the department. At a minimum, the employee shall have the opportunity to hear the charges against him/her and to hear a description of the evidence supporting that charge. The employee shall also have the opportunity to provide his/her account or otherwise explain the situation. UHR will provide the initiator with a recommendation following the conclusion of the investigation. The initiator shall consider the information provided by the employee in the decision whether to move forward with summary dismissal.

Step 2: Preparing the Request for Summary Dismissal

The initiator shall prepare a written request for summary dismissal. The request shall contain a formal listing of charges and the significant facts concerning the case, including the dates of the events and names of any witnesses. Relevant documentation shall be attached to the request.

The written request shall also include a summary of the investigation (described above), as well as a summary of the information provided by the employee. A request for summary dismissal shall not be approved unless there is evidence the investigation occurred.

Step 3: Requesting Approval for Summary Dismissal

Requests shall be directed to the following offices, with a copy to the Office of Employee and Labor Relations:

- **Division of the President:** For employees in the Division of the President, the initiator shall forward the request for summary dismissal to the president (or his/her designee) for final determination of the request for summary dismissal.
- **Division of Academic Affairs** including all departments and units that report to the Senior Vice President and Provost (SVPP): For employees in the areas reporting to the SVPP, the initiator shall forward the request for summary dismissal to the dean/director or vice president who shall review the request and any supporting documentation. If approved, the dean/director or vice president shall forward a written request to the SVPP for final determination of the request for summary dismissal.

- **Division of Student Affairs:** For employees in the Division of Student Affairs, the initiator shall forward the request for summary dismissal to the Senior Vice President for Student Affairs for final determination of the request for summary dismissal.
- **Division of University Services:** For employees in the Division of University Services, the initiator shall forward the request for summary dismissal to the Senior Vice President for University Services for final determination of the request for summary dismissal.
- **Division of Finance & Chief of Staff:** For employees in the Division of Financial operations and in University appointments within the following divisions: University Relations, Ombuds, Internal Audit, and Federal Relations, the initiator shall forward the request for summary dismissal to the Chief Financial Officer and Chief of Staff for final determination of the request for summary dismissal.

In the event the initiator is a senior vice president, review and approval shall be sought from the president or his/her designee.

Step 4: Disposition and Notification

If the decision maker in Step 3 concludes there are sufficient grounds for summary dismissal, s/he shall notify the initiator in writing, with a copy to the Office of Employee and Labor Relations, UHR. The initiator or the Vice President, Human Resources (or his/her designee), will notify the employee in writing of the proposed action. This written notice will include the charge, a copy of the non-confidential material submitted for the administrative review, and a statement explaining the employee's right to appeal the decision, including applicable deadlines.

The date of termination shall be the date set forth in the written notice to the employee of dismissal (which must be a date after the conclusion of Step 3). The effective date shall not be affected by any appeal of the decision.

If the result of the Step 3 administrative review is the determination that there are not sufficient grounds for summary dismissal, the initiator will be notified in writing. The summary dismissal request may never be used to the employee's disadvantage, although the facts supporting such request may continue to be relevant. If the employee was on paid administrative leave, the initiator shall promptly return the employee to work.