**Employee Name:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Job Title, Department and College:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Section I: Pre-Disciplinary Actions**

1. **Applicable Handbook.** Determine which employee handbook governs the disciplinary process. Refer to the discipline provisions in the applicable handbook. If the employee is covered by the Union for Non-Tenure Track Faculty (UNTF), review the collective bargaining agreement (CBA) and consult with HR Employee Relations as needed throughout the process.
2. **OIE Investigation (if applicable).**
	1. Upon receipt of the final Office for Institutional Equity (OIE)/Office for Civil Rights (OCR) decision, determinewhether all proper administrators (e.g., dean, chairperson, director, supervisor) were included on the OIE/OCR notification, including joint appointment administrators.
		1. If no, notify OIE of the additional unit administrators and forward the original notification to the additional unit administrators.
	2. Where appropriate, schedule a meeting between the proper unit administrators, Academic HR and the Office of the General Counsel to discuss contents of the OIE report/resolution decision and next steps.
	3. If a finding of a policy violation was made, and if it is upheld upon appeal, check whether employee is a PI on an NSF or NIH grant on BI Report RA026 (Award Form D). Notify the Office for Sponsored Programs (OSP)/Contract and Grant Administration (CGA) **immediately** if employeeis a PI or co-PI on an NSF or NIH grant and a finding was made. See NSF reporting protocol (Attachment 1).
	4. Determine whether the OIE report implicates other non-Relationship Violence and Sexual Misconduct Policy (RVSMP)/Anti-Discrimination Policy (ADP) potential policy violations.
		1. If yes, discuss next steps for investigation/handling.
3. **Coordination with University Communications.** Notify University Communications of relevant findings and potential actions to be taken.

**Section II: Determining the Type of Discipline**

Disciplinary action is normally iterative and falls into two general categories: minor discipline and serious discipline. Minor discipline includes verbal reprimand, written reprimand*,* mandatory training*,* foregoing salary increase*, r*estitution*,* monitoring of behavior and performance*,* and/or reassignment of duties;

Serious discipline includes suspension with or without pay (A full suspension without pay may not exceed six months) or a temporary or permanent reduction in appointment

In egregious cases of wrongdoing, or where attempts at discipline have not successfully remedied performance concerns, a faculty member may be Dismissed for cause.

**Section III: Practical Considerations for an Unpaid Suspension.**

1. **Work Assignments.** When implementing an unpaid suspension, consider the length and terms of the unpaid suspension (e.g., not permitted in office building, no contact with employees or students) and the impact it may have on each of the following, as applicable:
* Whether alternative teaching arrangements need to be made (e.g., teaching, grading)
* Whether the individual serves on graduate committees or is a major advisor
* Whether the individual serves on departmental, college or university governance committees
* Upcoming departmental and/or college functions
* Upcoming university travel
* Upcoming presentations at conferences
* Any research activities which require temporary supervision by another faculty member (e.g., human subjects, animals, hazardous materials)
* Whether the individual works with outside groups or entities (e.g., do they need to be notified?)
* Whether the individual has supervisory duties
1. **Impact to Benefits.** The employee’s employer contributions for health and prescription benefits will cease if the length of the unpaid suspension is for a **full calendar month or longer.** Contact HR Benefits to understand the impact and include a footnote in the intent to discipline/discipline letter to inform the employee of the impact to their benefits.

**Section IV: Letter of Intent to Impose Discipline.** Disciplinary actions for most groups require a written intent to discipline letter from the immediate supervisor to the employee that should include:

* The reason for the communication
* A description of the proposed disciplinary action being taken
* The basis for the actions being taken
* The proposed length of time that the actions would be in place
* A statement regarding the employee’s right and opportunity to respond
* A statement regarding retaliation

**This letter must be reviewed by AHR and OGC prior to distribution to the employee.**

**Section V: Implementing Discipline/Dismissal.**

1. Prior to providing formal notification of discipline/dismissal, notify the Campus Equity Navigator for same-day claimant notification if the employment action is related to an OIE investigation/OCR resolution decision.

**Section VI: Post-Disciplinary Actions:**

1. **Notification of Discipline.** Notify the following offices (where applicable):
	1. **OIE**. Provide them with a copy of the final disciplinary letter for the OIE case file.
	2. **HR.** Send a copy of the final disciplinary letter to HR @ SolutionsCenter@hr.msu.edu to include in the official HR personnel file.
	3. **OSP/CGA.** Check whether employee is a PI on an NSF or NIH grant on BI Report RA026 (Award Form D). Notify OSP/CGA **immediately** if employeeis a PI or co-PI on an NSF or NIH grant and disciplinary actions are taken. See NSF reporting protocol (Attachment 1).
	4. **ORA (JR Haywood) and Twila Reighley**, if employee is suspended or if actions taken impacts their research assignment.
	5. **University Communications.**
	6. **OISS** if the employee is on a VISA.
	7. **Clery Coordinator.** Check whether the underlying charge for discipline is related to a Clery Act crime or an act of sexual violence. (Guidance embedded below). If yes, provide them with a copy of the final disciplinary letter **immediately, but no later than 3 business days.**



**Notes:**