

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 P&S employee may be initiated by a manager, department/unit chair, director, dean or vice president. 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 follow the procedures set forth in the Research Misconduct policy rather than the procedures below.

Prior to seeking approval for summary dismissal, the initiator shall consult with the Office of Employee and Labor Relations in the Department of Human Resource Services.

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 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.

In addition, the initiator shall ensure that an investigation has been conducted that is appropriate to the circumstances at hand. 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. 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 Student Affairs:** For employees in the Division of Student Affairs, the initiator shall forward the request for summary dismissal to the Associate Vice President for Student Affairs, who shall review the request and any supporting documentation. If approved, the Associate Vice President for Student Affairs shall forward a written request to the Vice President for Student Affairs for final determination of the request for summary dismissal.

- **Division of Business and Finance:** For employees in the Division of Business and Finance, the initiator shall forward the request for summary dismissal to the Associate Vice President for Business and Finance, who shall review the request and any supporting documentation. If approved, the Associate Vice President for Business and Finance shall forward a written request to the Vice President for Business and Finance for final determination of the request for summary dismissal.
- **Division of Academic Affairs, plus the President's area: Colleges, Extension, Research and Economic Development, or any other division not listed above:** For all other employees, the initiator shall forward the request for summary dismissal to the Dean, Vice President, Director, or person holding equivalent or higher ranking position in the university, who shall review the request and any supporting documentation. If approved, the Dean, Vice President, Director, or appropriate person shall forward a written request to the Assistant to the Executive Vice President and Provost for final determination of the request for summary dismissal.

In the event the initiator is the Vice President for Student Affairs or the Vice President for Business and Finance, review and approval shall be sought through another divisional vice president, following the same approval process.

Step 4: Determination of the Request for Summary Dismissal

If the decision maker in Step 3 concludes there are sufficient grounds for summary dismissal, he/she shall notify the initiator in writing, with a copy to the Office of Employee and Labor Relations. The initiator 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. The action will stand unless or until such action is found to be unwarranted.

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.