

## UC Davis Personnel Policies for Staff Members

### Separation Actions

#### Section 62, Corrective Action

Date: 5/5/03

Supersedes: 1/17/97

Responsible Department: Human Resources

Source Document: UC PPSM 62

---

### 62.A. GENERAL

**Note 1--Investigatory Leave.** If the employee's conduct or performance warrants immediate removal from the work site, investigatory leave (Policy 63) may be used.

**Note 2--Basis for Corrective Action.** Some of the typical reasons for taking corrective action are poor performance, insubordination, absenteeism, violating a law or policy, dishonesty, theft, fighting on the job, and acts that endanger others.

**Note 3--Excluded Employees.** Policy 62 does not apply to limited or probationary employees. Use Policy 61 (Release) instead. Policy 62 does not apply to Manager & Senior Professional employees. The Office of the Associate Vice Chancellor--Human Resources can describe appropriate alternatives.

**Note 4--Progressive Action.** The purpose of corrective action is to give the employee a chance to correct performance or conduct. In general, corrective action should be progressive. An employee should normally receive a written warning (letter of warning) before more severe action. If the employee fails to improve, a more severe action, such as suspension or dismissal, can then be taken.

However, when the employee knew or should have known that his or her performance or conduct was unacceptable, the progressive approach may not be appropriate. Some of the factors to consider in choosing the level of corrective action are the severity of the problem, the potential consequences of the employee's performance or conduct, and whether the department's expectations have been clearly defined.

**Note 5--Authority.** A supervisor may impose corrective action, after consulting with an Employee & Labor Relations Analyst, and (if required) with their department head, dean, vice chancellor, or UCDHS associate director.

### 62.C. WRITTEN WARNING

**Note 1--Contents.** A letter of warning shall describe the unsatisfactory performance or conduct, what the employee must do to correct it, what action will be taken if it is not corrected, and the employee's rights under Policy 70. The documents that were used in arriving at the decision to take corrective action (for example, performance evaluations, rules or policies, memos, or investigatory records) shall be attached to the letter. The Employee & Labor Relations Analysts can give advice in drafting the letter.

### 62.D. NOTICE OF INTENT TO TAKE CORRECTIVE ACTION

**Note 1--Contents.** The notice of intent shall be signed by the supervisor. In addition to the items listed in Policy 62.D, the notice shall identify an official reviewer (also known as a "Skelly Officer").

**Note 2--Official Reviewer.** In order to minimize the risk of an error, an official reviewer shall review the notice of intent, the supporting documents, and the employee's response. In most cases, the supervisor who is taking the corrective action also performs the review. However, Employee & Labor

Relations may request that the department head appoint someone else who will perform the review and then implement, modify, or rescind the proposed action.

**Note 3--Reduction.** If the corrective action is reduced after the employee's response to the notice of intent, no further notice of intent is required.

**Note 4--Time Limits.** An Employee & Labor Relations Analyst can extend the time limits in this policy.

**Note 5--Method of Delivery.** Notices required by this policy shall be hand-delivered or sent by mail with a proof of service attached. A person who is not a party to the action fills out the proof of service. This form is on the Web at <http://www.hr.ucdavis.edu/Forms>.

## 62.E. RECORDS OF CORRECTIVE ACTIONS

**Note 1--Records.** Copies of written warnings, notices of intent, and notices of corrective action are kept in the department and Human Resources personnel files. If the corrective action does not take place, the department makes sure that the notice of intent is removed from the employee's personnel files.

**Note 2--Retention Period.** At any time more than 2 years after the effective date of a corrective action, the employee may ask that all records of the action be destroyed. If there has been no further corrective action, the records shall be destroyed.

## UCD PROCEDURE 62.1--CORRECTIVE ACTION

A supervisor sets performance expectations and gives regular feedback to the employee through performance evaluations and counseling. If these tools are inadequate, corrective action is the next step.

- a. The supervisor consults with an Employee & Labor Relations Analyst, and others as required above, before taking corrective action.
- b. If required by Policy 62.C, the supervisor gives a letter of warning to the employee.
- c. The supervisor continues to counsel and evaluate the employee.
- d. If the employee does not improve, the supervisor considers further corrective action.
- e. If a suspension or demotion is appropriate, the supervisor gives the employee written notice of intent to take corrective action. The effective date of the action must be more than 8 calendar days from the date of the notice. The notice gives the name of the official reviewer.
- f. The employee may respond, orally or in writing, to the official reviewer.
- g. After the date to respond has passed, the official reviewer reviews the notice of intent, the supporting documentation, and the information given by the employee, and makes the decision to implement, modify, or rescind the corrective action.
- h. If the official reviewer is not the employee's supervisor, the official reviewer sends written notice of his or her decision to the supervisor.
- i. If corrective action is to be taken, the supervisor issues the notice and files the copies as

described above.

- j. After the corrective action, the supervisor continues to counsel the employee to help the employee to achieve satisfactory performance.
- k. If performance does not improve to a satisfactory level, the department considers termination (Policy 64).