

32.02.02.X0.01 | Discipline and Dismissal

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PROCEDURE SUMMARY

This procedure provides guidelines which supplement the requirements contained in The Texas A&M University System (A&M System) Regulation 32.02.02, *Discipline and Dismissal of Nonfaculty Employees*. Included in this procedure is the delegation of authority to approve dismissals, and the administrative processes specific to Texas A&M AgriLife Extension Service (AgriLife Extension).

PROCEDURES AND RESPONSIBILITIES

1.0 GENERAL

- A. As provided in [A&M System Policy 32.02, Discipline and Dismissal of Employees](#), all nonfaculty positions in the A&M System are "at will," meaning any nonfaculty employee may be dismissed from employment with or without cause. Any such dismissal must be in compliance with federal and state law.
- B. Unit Heads are responsible for informing their employees of the rules and regulations to be followed, the standard of conduct to be met, and the job performance to be achieved. Employees are expected to fully acquaint themselves with the rules, procedures, and standards of conduct and performance of their departments or units. Employees who do not assume the responsibilities set out by these rules, procedures, and standards may be subject to disciplinary actions, up to and including dismissal.

2.0 GROUNDS FOR DISCIPLINARY ACTION OR DISMISSAL

- A. Acts that may result in disciplinary action or dismissal include, but are not limited to, inadequate job performance, inadequate job knowledge, misconduct, excessive absenteeism, or unauthorized leave or absences.
- B. AgriLife Human Resources should be consulted before taking the disciplinary actions outlined below in Section 2.0, and in [A&M System Regulation 32.02.02, Discipline and Dismissal of Nonfaculty Employees](#).
- C. A supervisor's request to dismiss or suspend an employee will be sent to AgriLife Human Resources through normal approval channels. AgriLife Human Resources will consider the request in view of the justification submitted and any documentation available for review. Following the review, AgriLife Human Resources will approve/deny the request or, if required by A&M System Regulation 32.02.02, *Discipline and Dismissal of Nonfaculty Employees*, consult with the A&M System Office of General Counsel (OGC). After consulting OGC, AgriLife Human Resources will forward the request to the Director or designee for appropriate action.

3.0 TYPES OF DISCIPLINARY ACTION

In most cases, inappropriate job-related conduct or job performance can be addressed by the supervisor who is counseling the employee and providing guidance on appropriate conduct or performance. After consulting with AgriLife Human Resources, the supervisor may issue a formal disciplinary action listed below, if circumstances warrant (i.e., more serious acts or for progressive discipline).

- A. Written reprimand—a written memorandum may be issued for more serious incidences or if counseling does not achieve the desired result. A reprimand may contain directives and other action items.
- B. Suspension without pay—an employee may be temporarily removed from duties without pay or be temporarily placed in a non-paid status. Any suspension without pay for more than five workdays must be submitted to the Director or designees for approval.
- C. Transfer, demotion, and/or reduction in salary—these actions include the realignment of an employee’s assigned duties, title, and/or salary for disciplinary reasons.
- D. Dismissal—an employee may be dismissed from employment in accordance with A&M System Regulation 32.02.02, *Discipline and Dismissal of Nonfaculty Employees*.

All notifications to the employee regarding formal disciplinary actions should be made in writing. An employee should also be informed in the written notification of the appeal procedure. Copies of all documents pertaining to disciplinary action or dismissal will be filed in the employee’s personnel file.

4.0 INELIGIBILITY FOR REHIRE

An employee who is dismissed or resigns in lieu of dismissal as a result of serious misconduct that has been substantiated by an investigation and that is considered to warrant dismissal, will be regarded as *Not Eligible for Rehire* as designated in Workday for a period of up to five years following the date of dismissal. Examples include but are not limited to: violations of laws such as theft, violence/threat of violence, and serious policy violations such as A&M System Policy 08.01, *Civil Rights Protections and Compliance*, violations, as well as alcohol/drug policy violations, and moral turpitude.

5.0 APPEAL OF DISCIPLINARY ACTION OR DISMISSAL

An appeal of any disciplinary action or dismissal from employment will be in accordance with A&M System Regulation 32.01.02, *Complaint and Appeal Process for Nonfaculty Employees* and AgriLife Extension Procedures 32.01.02.X0.01, *Complaint and Appeal for Nonfaculty Employees*. However, an appeal alleging discrimination, sexual harassment, and/or related retaliation must be filed in accordance with A&M System Regulation 08.01.01, *Civil Rights Compliance*.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[A&M System Policy 32.02, Discipline and Dismissal of Employees](#)

[A&M System Regulation 32.02.02, Discipline and Dismissal of Nonfaculty Employees](#)

[A&M System Policy 32.01, Employee Complaint and Appeal Procedures](#)

[A&M System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#)

[AgriLife Extension Procedure 32.01.02.X0.01, Complaint and Appeal for Nonfaculty Employees](#)

[AgriLife Extension Procedure 33.99.99.X0.02, Official Personnel File](#)

CONTACT OFFICE

Questions regarding this procedure should be referred to AgriLife Human Resources at 979-845-2423.

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