

West Virginia University at Parkersburg Board of Governors

**POLICY B-21
EMPLOYEE DISCIPLINE**

Section 1. General

- 1.1 Scope: This policy applies to employees of West Virginia University at Parkersburg, except at-will and temporary employees.
- 1.2 Authority: [W.Va. Code §18B-1-6](#); [W.Va. C.S.R. §135-9-12](#)
- 1.3 Effective Date: August 3, 2017

Section 2. Purpose

- 2.1. The purpose of this policy is to outline the means by which West Virginia University at Parkersburg may take counseling and/or disciplinary action to correct an employee's work related behavior which does not meet the expectations set by the supervisor or other appropriate authority.

Section 3. Policy

- 3.1. When an employee does not maintain the standards of performance or conduct as outlined by the supervisor, or, does not comply with applicable policies, procedures or laws, disciplinary action, including but not limited to written notice, demotion, suspension, or dismissal may be taken, depending upon the actual and potential consequences of the offense. Employee misconduct may be considered minor misconduct or gross misconduct.
 - 3.1.1 Minor misconduct, generally of limited actual and potential consequence, will result in the appropriate action being taken through progressive discipline. Progressive discipline includes notice of concern and expectations to the employee through letter(s) of warning, with subsequent similar offenses being addressed by suspension, demotion, and/or termination.
 - 3.1.2 Gross misconduct, resulting in substantial actual and/or potential consequence to operations or persons, typically involving flagrant or willful violation of policy, law, or standards of performance or conduct, may result in any level of discipline up to and including immediate dismissal at the discretion of the supervisor.

Section 4. Due Process and Appeals

- 4.1. Before disciplinary action may occur, the supervisor must give the employee written notice of the charges against him/her, why the behavior is unsatisfactory, an explanation of the employer's evidence, and an opportunity to present his/her explanation of the behavior in question.
- 4.2. Written notice of intent must be issued prior to actions impacting wages and/or terms of employment, i.e. demotion, suspension, or termination, with an opportunity for the employee to present his/her explanation of the behavior in question.

- 4.3 All disciplinary action taken will be confirmed in writing to the employee.
- 4.4 An employee who believes he/she has been disciplined unjustly may pursue a grievance pursuant to [W.Va. Code § 6C-2. et seq.](#)

Section 5. Disciplinary Procedures

- 5.1 Institutional procedures for implementing this policy, as approved by the institution's president, shall be communicated to employees.