

ARTICLE #

DISCIPLINE AND DISMISSAL

Section 1. Just Cause.

The University shall not discipline or dismiss a Graduate Student Worker (GSW) without just cause.

Section 2. Definition.

Discipline may include written warnings, unpaid suspensions, or dismissal/~~discharge~~ from employment from a GSW appointment based upon job-related misconduct. Dismissal does not include non-appointment or non-reappointment of an individual. Nothing in this section shall prohibit the University from placing a graduate student on ~~paid~~ administrative leave without prior notice in order to investigate allegations of misconduct.

Section 3. Initial Remediation

The GSW's Department or Supervisor shall make every effort to address any concerns that could lead to discipline with the GSW prior to taking steps towards disciplinary action. No decision at this stage will be precedential.

Section 4. Notice of Disciplinary Investigation.

In the event that the University ~~intends to~~ investigate~~s~~ a GSW for matters that could result in discipline or dismissal, consistent with this article, the University shall:

1. Notify the GSW and the Union in writing of this ~~intent~~ investigation. The notice shall include:
 - a. The reasons for the investigation;
 - b. the nature of the alleged violation, including citation to the policy or rule alleged to have been violated, if any, with that policy or rule attached and/or linked;
 - c. the potential level of discipline that could be rendered;
 - ~~d. notice of a right to an investigatory meeting;~~
 - e. notice of the right to Union representation.
2. Hold an investigatory meeting with the GSW, their union representative ~~if requested~~, and the investigator(s).

Section 5. Investigatory Meeting.

During the investigatory meeting, the GSW shall be told the specific charges, the evidence for those charges including any reports or testimony generated as a result of any investigation into those charges. The GSW shall have the right to a Union representative, who shall be afforded the opportunity to ~~advise represent and speak on behalf~~ the GSW. The GSW and/or their representative shall have the opportunity to respond to the charges and propose

factors ~~options~~ to mitigate potential discipline at the meeting. Nothing in this Article is intended to diminish a GSW's Weingarten rights.

~~Section 6. Disciplinary Hearing.~~

~~During the disciplinary hearing, the GSW shall be told the final outcome of the investigation, including the evidence gathered, any reports or testimony generated as a result of investigation into those charges, and explanation for disciplinary action, if any. The GSW shall have the right to a Union representative, who shall be afforded the opportunity to represent and speak on behalf of the GSW.~~

Section 7. Notice of Discipline or Dismissal.

The GSW and the Union shall be promptly notified in writing of any decision of disciplinary action taken against a GSW.

Section 8. Dismissal.

If the University dismisses a GSW, the Union may appeal the dismissal to an expedited arbitration as set forth in **Article XX Grievance and Arbitration**. ~~The University shall maintain the GSW in pay status until the decision has been rendered.~~

The Union may file a grievance challenging a dismissal determination at Step 2 of the grievance process consistent with this Article and the Agreement, provided that the grievance otherwise meets the requirements of Section 1 of the Grievance and Arbitration article, and is presented within twenty (20) days of the decision date.

Section 9. Confidentiality.

The University shall maintain all disciplinary or dismissal action as confidential to the GSW and the Union. Any documents produced by these processes shall be filed separately from the employee's personnel and academic record.