

Disability Separation

An Administrative Professional employee who is unable to adequately perform the essential functions of his/her position due to mental, sensory, or physical disability will be separated from service after the institution has attempted reasonable accommodation of the employee's disability in accordance with law and policy.

The employee shall be provided a written notice of separation with the effective date. The notice shall state that the employee is being separated from service due to disability and shall be provided at least thirty (30) calendar days prior to the effective date.

Administrative Professional employees who held permanent status within the civil service may have a right of reversion under State civil service laws unless there are terms and conditions of a WSU Collective Bargaining Agreement, which apply. The employee has thirty (30) calendar days after the separation effective date to request the reversion rights. For former permanent civil service employees WAC 357-19-475 Reasonable Accommodation – Re-employment may apply.

Appeal of Disability Separation

Any Administrative Professional employee who is terminated for cause or for a Disability Separation may appeal the termination to the Provost, appropriate Vice President, or their designee. The appeal must be in writing and must be received by the Provost, appropriate Vice President, or their designee within ten (10) working days after the date of the notice of termination or disability separation letter. In no case will such request affect the notice of termination, separation, or extend the period of the employee's appointment. Both the employee and the employer may submit written material to be considered in the appeal.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost, appropriate Vice President, or their designee oral statements are allowed. The Provost, appropriate Vice President, or their designee shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University.

Unemployment Insurance

Administrative Professional employees who separate or are terminated from employment may be eligible to receive unemployment insurance. Employees who have cyclic, non-annual appointments are not eligible to receive unemployment insurance during the cyclic non-work period, provided there is an expectation of renewed or continued employment.

Corrective Action/Disciplinary Action

Administrative Professional employees who violate the rights of others or University policy may be subject to appropriate corrective action or disciplinary procedures.

Corrective Action

Corrective action may include but is not limited to: informal verbal counseling, a verbal reprimand, training or retraining, a written counseling memo, a performance improvement plan, or a letter of reprimand.

Disciplinary Action (rev. 05-01-2010)

Disciplinary action is at the discretion of the University and may include, but is not limited to, suspension

without pay, demotion, disciplinary reassignment, or reduction in salary. When considering disciplinary action, the University shall provide the employee written notice of the charges against him or her, together with the factual basis for those charges, and an opportunity for the employee to present reasons, in writing, why he or she should not receive disciplinary action. The employee will be given ten (10) working days to respond to the charges.

The following is a non-inclusive list of conduct that may lead to corrective/disciplinary action:

1. Discrimination against any person based on race, ethnicity, religion, age, color, creed, gender, national origin, physical, mental or sensory disability, use of a guide dog or service animal, marital status, sexual orientation, gender identity/expression, genetic information, or status as a Vietnam- era or disabled veteran which deprives that person of civil rights, employment opportunities, or housing, or which, in any way, impedes, hinders, delays, or restricts the individual's membership or subsequent full participation in any activities of the recognized organizations of the University.
2. Sexual Harassment, Quid pro quo: Any sexual advances by males or females which indicate or imply that compliance is a condition for hiring, job retention, job promotion, grades, pay increases, letters of recommendation or other employment activities.

Procedures for investigating allegations of discrimination and sexual harassment are set forth in the University document, "Policy Prohibiting Discrimination and Sexual Harassment".

A link to the policy can be found at

[public.wsu.edu/~forms/HTML/EPM/EP15_Discrimination Sexual Harassment and Sexual Misconduct.htm](http://public.wsu.edu/~forms/HTML/EPM/EP15_Discrimination_Sexual_Harassment_and_Sexual_Misconduct.htm)

3. Forgery, alteration, or misuse of University documents or identification.
4. Submitting falsified information to any University official or agency, or the offering of an intentionally false statement in any University disciplinary proceeding.
5. Theft of or intentionally damaging or defacing University property or property belonging to any member of the University community or campus visitor.
6. Illegal use, possession, or purveying of narcotic or dangerous drugs on University property. University policy is consistent with state and federal laws, which regulate the possession, use, sale, and distribution of drugs. A link to the policy can be found at [public.wsu.edu/~forms/HTML/EPM/EP20_Alcohol and Drug Policy.htm](http://public.wsu.edu/~forms/HTML/EPM/EP20_Alcohol_and_Drug_Policy.htm)
7. Illegal possession, use, or sale of intoxicating beverages on University property. A link to the policy can be found at [public.wsu.edu/~forms/HTML/EPM/EP20_Alcohol and Drug Policy.htm](http://public.wsu.edu/~forms/HTML/EPM/EP20_Alcohol_and_Drug_Policy.htm)
8. Unlawful acts that directly affect University programs, community members, or property insofar as they materially and substantially interfere with the missions, functions, processes, and goals of the University community.
9. Illegal entry, attempted entry, or entry in violation of Washington State University rules of University-controlled property, or University-related property, such as fraternities, sororities, or co-op houses.

10. Intentional disruption of the educational processes and functions of the University, including classroom and laboratory activities, offices, services, meetings, or ceremonies.
11. Detention or physical abuse of any person or conduct which threatens imminent bodily harm or endangers the health or safety of any person on any property owned or controlled by the University, or in connection with approved University functions.
12. Conduct seriously prejudicial to the University also including incompetence, neglect of duty, dishonesty, inefficiency, incompetence, insubordination, misuse of University resources, and any violation of University policies and regulations.

Appeal of Disciplinary Action

An Administrative Professional employee who is subject to disciplinary action may appeal the decision to the next line appointing authority within the employee's designated area. The appeal must be in writing and must be received by the appropriate appointing authority within ten (10) working days after the date of the notice of disciplinary action. The appointing authority shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University. For more information contact Human Resource Services at 509-335-4521.

Termination for Cause

An Administrative Professional employee may be terminated for cause without receiving the required period of notice. Discontinuation of Appointment is not applicable when terminated for cause. Cause for termination includes, but is not limited to, any of the behaviors listed above (see *Disciplinary Action*), inadequate performance of duties, misconduct, or unethical or illegal activity.

When considering termination for cause, the University shall provide the employee written notice of the charges against him or her, together with the factual basis for those charges, and an opportunity for the employee to present reasons, in writing, why he or she should not be terminated. Except for gross misconduct or conduct that poses an immediate threat to the safety of persons or property, the employee will be given ten (10) working days to respond to the notice of charges.

When the University determines that the employee shall be terminated for gross misconduct or conduct that poses an immediate threat to the safety of persons or property, termination may be imposed immediately. However, the employee shall be provided written notice of the basis for termination and thereafter will be provided an opportunity to appeal the termination as noted above.

Appeal of Termination for Cause

Any Administrative Professional employee who is terminated for cause may appeal the termination to the Provost, appropriate Vice President, or their designee. The appeal must be in writing and must be received by the Provost, appropriate Vice President, or their designee within ten (10) working days after the date of the notice of termination or disability separation letter. In no case will such request affect the notice of termination, separation, or extend the period of the employee's appointment. Both the employee and the employer may submit written material to be considered in the appeal.

The appeal shall be conducted on the basis of the written material unless, in the discretion of the Provost, appropriate Vice President, or their designee oral statements are allowed. The Provost, appropriate Vice President, or their designee shall render a final decision within thirty (30) calendar days of receipt of the appeal. This decision shall be the final decision of the University. For more information contact Human Resource Services at 509-335-4521.