



## UNIVERSITY OF MANITOBA POLICY

<b>Policy:</b>	<b>Discipline and Dismissal of Term or Contingent Academic Staff Excluded from Bargaining Units</b>
<b>Effective Date:</b>	May 20, 2008
<b>Revised Date:</b>	
<b>Review Date:</b>	May 20, 2018
<b>Approving Body:</b>	Board of Governors
<b>Authority:</b>	
<b>Responsible Executive Officer:</b>	President
<b>Delegate:</b>	Vice-President (Administration)
<b>Contact:</b>	Executive Director of Human Resources
<b>Application:</b>	Employees: See List

This policy applies to term and contingent appointments within the following employee groups identified in Procedure: Employee Organizations and Employment Groups:

- (a) Geographic Full-Time Staff
- (b) Research Academic Staff
- (c) Sessional Professional Academic Staff; and
- (d) Other Academic Staff

### **Part I Reason for Policy**

To define appropriate ways of communicating and dealing with serious gaps between expected and actual job performance during a term or contingent appointment for academic staff excluded from bargaining units.

## **Part II Policy Content**

- 2.1 Supervisory and managerial academic staff have a responsibility to communicate the assessment of job performance, both positive and negative, to term and contingent academic staff excluded from bargaining units
- 2.2 For the purpose of this Policy a term appointment shall be defined as an academic appointment for a specified period of time that terminates automatically at the end of the specified period.
- 2.3 For the purpose of this Policy a contingent appointment shall be defined as an academic appointment principally dependent upon the availability of non-operating funds.
- 2.4 The University recognizes that it may be necessary to discipline and/or dismiss an employee in a term or contingent appointment for:
  - (a) Failure to perform his/her duties and responsibilities satisfactorily or neglect of duty;
  - (b) Failure to conduct himself/herself in accordance with the policies, procedures, and regulations of the University;
  - (c) Inappropriate behaviour such as but not limited to, disobedience, insubordination, harassment, theft, dishonesty, violence; or
  - (d) Other sever problems resulting in just cause.
- 2.5 Discipline or dismissal may take any one of three (3) options:
  - (a) Progressive discipline which may lead to termination of employment;
  - (b) Termination of employment for just cause (no notice required); or
  - (c) Termination of employment (with notice).
- 2.6 The University encourages and supports the use of progressive discipline, wherever possible and practical.
- 2.7 Discipline or dismissal should be decisions made in consultation with a representative of the Staff Relations unit of Human Resources.

## **Part III Accountability**

- 3.1 The University Secretary is responsible for advising the President that a formal review of this Policy and Secondary Documents is required.

- 3.2 The Executive Director of Human Resources is is responsible for the communication, administration, and interpretation of this Policy.

#### **Part IV Secondary Documents**

- 4.1 The Vice-President (Administration) or President may approve Procedures, if applicable, which are secondary to and comply with this Policy.

#### **Part V Review**

- 5.1 Formal Policy reviews shall be conducted every ten (10) years. The next scheduled review date for this Policy is May 20, 2018.
- 5.2 In the interim, this Policy may be revised or rescinded if the Board of Governors deems it necessary.
- 5.3 If this Policy is revised or rescinded all Secondary Documents, if applicable, will be reviewed as soon as reasonably possible in order to ensure that they:
- (a) comply with the revised Policy; or
  - (b) are in turn rescinded

#### **Part VI Effect on Previous Statements**

- 6.1 This Policy supersedes all of the following:
- (a) all previous Board of Governors/Senate Policies, Procedures, and resolutions on the subject matter contained herein; and
  - (b) all previous Administration Policies, Procedures, and directives on the subject matter contained herein.

#### **Part VII Cross References**

- 7.1 This Policy should be cross referenced to the following relevant Governing Documents, legislation and/or forms:
- (a) Procedure: Discipline and Dismissal for Term and Contingent Academic Staff Excluded from Bargaining Units