

ARTICLE 10

PROGRESSIVE DISCIPLINE, REPRIMANDS, TEMPORARY SUSPENSION

10.1 CSU management will normally use progressive discipline when an employee fails to meet the required standards of performance or displays inappropriate conduct. Progressive discipline is intended to identify problems(s) with Bargaining Unit 1 employee(s) and to provide the employee(s) with an opportunity to bring the performance up to standard. However, CSU reserves the right to impose discipline without going through progressive steps when deemed warranted based upon an employee's poor performance or misconduct, of significant severity.

Reprimands

10.2 An employee may receive from the administration an oral and/or written reprimand. Reprimands shall be provided in a timely and confidential manner.

10.3 An employee may request a conference with the administrator who issued the reprimand to discuss the reprimand. Such a request shall not be unreasonably denied. The employee may be represented at such a conference by another employee or a Union Representative.

10.4 A written reprimand shall be placed in the official personnel file of the affected employee. The employee shall have the opportunity to sign said reprimand indicating that the employee has read the document.

10.5 An employee shall have the right to attach a rebuttal statement to a written reprimand in his/her official personnel file.

10.6 Upon the employee's request and three (3) years from its effective date, a reprimand in the personnel file shall be permanently removed. If a notice of disciplinary action has been served on the employee and such a reprimand is related to the disciplinary action, this provision shall not be implemented.

10.7 Reprimands shall not be subject to Article 8, Grievance Procedure, unless the grievant alleges the terms of this Article have been violated, misinterpreted or misapplied.

Temporary Suspension

10.8 The President may temporarily suspend with pay an employee for reasons related to (a) the safety of persons or property or (b) the prevention of the disruption of programs and/or operations.

- 10.9 The President shall notify the employee of the immediate effect of a temporary suspension. The exclusive representative (UAPD) shall be provided with a copy of said notice.
- 10.10 The President may terminate or extend a temporary suspension and shall so notify the employee.
- 10.11 Unless earlier terminated, or extended, by the President, a temporary suspension shall automatically terminate thirty (30) days after its commencement.
- 10.12 Temporary suspensions shall not be subject to Article 8, Grievance Procedure, unless the grievant alleges the terms of this Article have been violated, misinterpreted or misapplied.

Notice of Disciplinary Action

- 10.13 Any notice of disciplinary action shall be served on the employee by the appropriate administrator in person or by certified mail at the employee's last known address.

Medical Board Certification Compliance Procedures

- 10.14 In compliance with the CSU Policy on University Health Services, the following procedures shall apply to all Physicians subject to its medical board certification requirements:
- a. Each Physician is required to provide to the campus a copy of the board certification appropriate for their assigned duties.
 - b. Where practicable, the campus shall give each such Physician a written reminder of the expiration date of the Physician's board certification at least one year prior to the expiration.
 - c. Upon the renewal of the Physician's board certification, the Physician shall promptly provide a copy of the board certification to the campus.
 - d. A Physician shall promptly notify the campus in writing of the lapse of the Physician's board certification. As soon as practicable thereafter, the Physician and the Physician's Health Center Director shall meet to discuss plans for the Physician to achieve recertification.
 - e. The clinical privileges of a Physician whose board certification has lapsed shall be determined in accordance with the CSU Policy on University Health Services.

- f. The campus may initiate disciplinary procedures regarding the lapse of the Physician's board certification in accordance with the applicable provisions of the Education and Government Codes.
- g. If the medical board certification requirements contained in the CSU Policy on University Health Services are changed, upon the request of UAPD the CSU will meet and confer over the impact, if any, on employees.