

## Reporting and Enforcement of “Expectation and Enforcement Notice”

September 4, 2020

On August 1, 2020, The University of Alabama System issued the “Comprehensive Health and Safety Plan: Summary of Plan Revisions,” which provides the latest health and safety requirements for the three UA System campuses during the COVID-19 pandemic. The Summary states:

The health and safety of our UA System campuses is our top priority. UA System employees and students, regardless of their personal opinions, must recognize their obligation to themselves, their peers, and the surrounding community to strictly abide by all health and safety requirements. Compliance is critical to ensure a safe return and safe operations in the coming weeks.

Failure to comply with all COVID-19 related policies and requirements will result in swift and meaningful enforcement measures. To mitigate the risk of exposure and spread of COVID-19 on our campuses, all students, faculty, and staff must strictly adhere to state and local health ordinances, and all System and campus guidelines.

In addition, the Summary requires that “campus policies must remain consistent with this Plan and current health guidance.” The UAH interim Policy 02.01.71 Safety and Health Requirements for Presence on UAH’s Campus During the COVID-19 Pandemic (“Policy”) complies with the UA System Health and Safety Plan and will be updated as needed to remain in compliance.

The previously provided “Expectation and Enforcement Notice,” available at <https://www.uah.edu/return-to-campus/guiding-principles/community-expectations-and-enforcement>, delineates the penalties for not complying with the health and safety requirements. The reporting and enforcement of the Policy, in conjunction with the “Expectation and Enforcement Notice,” will follow in principle the processes and procedures in the Staff Handbook (for staff) and the Faculty Handbook (for faculty). Modifications to the standard procedures necessitated by the penalties outlined in the Notice are included in the process set forth herein. These modifications clarify, but do not materially change, the process as stated in either handbook.

The “**Expectation and Enforcement Notice**” sets forth the following progressive disciplinary measures:

### **ON-CAMPUS SAFETY REQUIREMENTS**

Once an employee returns to work on campus, certain COVID-19 safety measures, such as wearing a face mask, completing the required reports on the Charger Healthcheck, social distancing, etc., **must** be followed. If an employee fails to follow the on-campus safety requirements, the following progressive discipline by a supervisor will apply:

**FIRST VIOLATION**— Verbal Counseling

**SECOND VIOLATION**— Written Counseling

**THIRD VIOLATION**— Final Warning and a three-day unpaid suspension

**FOURTH VIOLATION**— Termination of Employment

## **Staff**

Supervisors are encouraged to counsel and educate employees regarding safety and health requirements prior to initiating the progressive discipline process. For staff, Human Resources will provide supervisors the steps for verbal counseling and a template for the documentation letter. Human Resources will provide supervisors templates for the Letter of Written Counseling, for the Letter of Final Warning with a three-day unpaid suspension, and for the Letter of Termination of Employment. Supervisors must consult with Human Resources prior to issuing verbal counseling, written counseling letters, letters of warning, or initiating termination procedures and issuing termination letters.

## **Human Resources Contacts**

Contact Laurel Long at [laurel.long@uah.edu](mailto:laurel.long@uah.edu) or +1 256 824 6545

Contact Ramona Burroughs at [ramona.burroughs@uah.edu](mailto:ramona.burroughs@uah.edu) or +1 256 824 2286

## **Reporting**

Staff can report a concern or violation of the Policy through Charger 360 Health and Safety Complaint Form <https://www.uah.edu/Charger360>

## **Problem Resolution Procedure**

Staff and administrative employees who have complaints or concerns relating to discipline administered for violation of Policy 02.01.71 Safety and Health for Presence on UAH's Campus During the COVID-19 Pandemic are encouraged to take advantage of the University's Problem Resolution Procedures as given in the Staff Handbook (page 38). The University is committed to giving prompt and fair consideration to any such complaint. An employee will not be penalized in any way for a good faith use of this procedure.

## **Response of Supervisors to Complaints based on Non-Compliance with Policy 02.01.71**

Supervisors must consult with and coordinate the recommended course of action through Laurel Long, Associate Vice President for Human Resources, or Ramona Burroughs, Director of Employment and Employee Relations in Human Resources, in each individual case to promote consistency of treatment and fairness in administering the disciplinary system. The appropriate Vice President and/or the President will handle disciplinary actions involving senior administrators.

Specific steps in the process are given below:

1. Violation 1. For verbal counseling, supervisors must contact Human Resources for the steps for verbal counseling and for the verbal counseling documentation letter template. A copy of the documentation letter must be given to the employee and distributed according to the template.

2. Violation 2. For written counseling, supervisors must contact Human Resources for the letter of written counseling template. A copy of the letter must be given to the employee and distributed according to the template.
3. Violation 3. The third violation of the safety and health requirements results in a suspension without pay of the employee for three days. Supervisors must contact Human Resources for the letter of warning with a three-day suspension without pay template. A copy of the letter of warning must be given to the employee and distributed according to the template.
4. Violation 4. The fourth violation of the safety and health requirements results in termination of the employee. Supervisors must contact Human Resources to obtain the letter of termination template. A copy of the letter of termination must be given to the employee and distributed according to the template.

## **Faculty**

### **Office of Academic Affairs Contact**

Christine Curtis at [Christine.Curtis@uah.edu](mailto:Christine.Curtis@uah.edu) or +1 256 824 6337

Copy Michele Kennedy at [michele.kennedy@uah.edu](mailto:michele.kennedy@uah.edu) or +1 256 824 6337

### **Reporting**

Faculty can report a concern or violation of the Policy through Charger 360 Health and Safety Complaint Form <https://www.uah.edu/Charger360>.

### **General Grievance Process**

Faculty who have complaints or concerns relating to discipline administered for violation of Policy 02.01.71 Safety and Health for Presence on UAH's Campus During the COVID-19 Pandemic may use Faculty Grievance Process given in Appendix E, General Grievance Procedure of the Faculty Handbook.

### **Response of Supervisors to Complaints based on Non-Compliance with Policy 02.01.71**

Chairs, Associate Deans, Directors and Deans (supervisors) must consult with and coordinate the recommended course of action through the Office of Academic Affairs in each individual case to promote consistency of treatment and fairness in administering the disciplinary system.

Specific steps in the process are given below:

1. Violation 1. For verbal counseling, supervisors must contact the Office of Academic Affairs for the steps in verbal counseling and for the verbal counseling documentation letter template.

2. Violation 2. For written counseling, supervisors must contact the Office of Academic Affairs for the letter of written counseling template. A copy of the letter must be given to the employee and distributed according to the template.
3. Violation 3. The third violation of the safety and health requirements results in a suspension without pay of the employee for three days. Supervisors must notify the Office of Academic Affairs when a third violation occurs. The Provost will issue the letter of warning with three-day suspension without pay.
4. Violation 4. The fourth violation of the safety and health requirements results in initiating the dismissal process provided for in Faculty Handbook Chapter 7.14.2. The faculty member will be placed immediately on interim suspension status without pay. Supervisors must notify the Office of Academic Affairs when a fourth violation occurs. The Provost will issue the letter initiating dismissal proceedings and place the faculty member on interim suspension.