



Applies to: Staff

POLICY

Issued: 10/01/1973
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The performance improvement process may be initiated for, but not limited to the following reasons: incompetence, inefficiency, dishonesty, use or being under the influence of alcohol or illegal drugs at work or inappropriate use of prescription drugs, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, failure to return from a leave of absence, other failure of good behavior, misfeasance in office, malfeasance in office, nonfeasance in office, other unsatisfactory job performance, conviction of a felony; this is not an exhaustive list. Staff may be reprimanded, demoted or terminated for violation of university rules, policies and/or such offenses as listed above. It is important for supervisors to manage performance and to take steps to support individuals improving their performance when appropriate. The performance improvement process for staff represented by labor unions must be implemented in accordance with the terms of applicable collective bargaining agreements.

Definitions

Term	Definition
Unit appointing authority	President, senior vice president, vice president, provost, vice provost, dean or senior human resource professional of the employing unit.
CCS appointing authority	Highest administrative official directly overseeing the Office of Human Resources.

Policy Details

- I. The university subscribes to the principle of performance improvement that is typically progressive in nature when performance is deficient, as described in the [Performance Improvement Process Guide](#). In appropriate cases, the university reserves the right to move to immediate termination when warranted.
- II. The university may place a staff member on administrative leave with pay at its discretion. Such leave is to be used in circumstances when the health or safety of any staff member or of any person or property entrusted to the staff member’s care could be adversely affected or during an administrative investigation as determined by the Office of Human Resources. Compensation for administrative leave will be equal to the staff member’s base rate of pay. The length of such leave is solely at the discretion of the university. The Office of Human Resources, Employee Relations must approve placing a staff member on administrative leave.
- III. The university may place a staff member on unpaid administrative leave under [Ohio Revised Code 124.388](#).
- IV. Unclassified Staff
 - A. Unclassified staff are employed at will and serve at the discretion of their appointing authority. In case of involuntary termination or demotion because of unsatisfactory performance, written notification must be given by the department.
 - B. Certain infractions may necessitate the termination of a staff member without advance notice. Such infractions may include violations of university policy and/or the law.
 - C. OHR Employee Relations should review all notices of involuntary termination prior to issue.
 - D. In consultation with OHR Employee Relations, unclassified staff who are involuntarily terminated may be deemed ineligible for rehire. Staff who are ineligible for rehire must be notified in writing of their rehire ineligibility by the department at the time of termination.



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- E. In consultation with OHR Employee Relations, unclassified staff who resign in lieu of involuntary termination may be deemed ineligible for rehire. Staff who are ineligible for rehire must be notified in writing of their rehire ineligibility by the department at the time of termination.
- V. Emergency, Intermittent and Temporary Classified and Unclassified Staff
 - A. Emergency, intermittent and temporary CCS staff are employed at will and serve at the discretion of the appropriate appointing authority. In case of involuntary termination because of unsatisfactory performance, written notification must be given by the department.
 - B. Such staff may be terminated without going through the performance improvement process and without advance notice.
 - C. Such staff who are involuntarily terminated or who resign in lieu of involuntary termination may be deemed ineligible for rehire. Staff who are ineligible for rehire must be notified in writing of their rehire ineligibility by the department at the time of termination.
- VI. Classified Civil Service (CCS) Staff
 - A. In case of involuntary termination or demotion because of unsatisfactory performance, written notification must be given by the appointing authority. Probationary CCS staff who are involuntarily terminated or who resign in lieu of involuntary termination may be subject to the provisions in paragraphs E & F, depending on the circumstances. Also refer to [Policy 5.10](#), Probationary Period.
 - B. The Performance Improvement Process includes four steps:
 1. Written Coaching, issued by the department.
 2. Level One Notice, issued by the department.
 3. Level Two Notice (major corrective action), issued by the unit appointing authority after review by the Office of Human Resources.
 4. Level Three Notice (termination), issued by the Office of Human Resources.
 - C. Classified staff members may be demoted or issued Level Three Notice only by direct action of the CCS appointing authority.
 - D. The university reserves the right to terminate a staff member for certain infractions without going through the performance improvement process. Such infractions may include violations of university policy and/or the law.
 - E. Classified staff who are involuntarily terminated may be deemed ineligible for rehire and if so, must be notified in writing of their rehire ineligibility by the Office of Human Resources at the time of termination.
 - F. Classified staff who resign in lieu of involuntary termination may be deemed ineligible for rehire and if so, must be notified in writing by the department at the time of termination.

PROCEDURE

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- I. Termination of Unclassified Staff
 - Unit appointing authorities should consult with OHR Employee Relations prior to involuntarily terminating unclassified staff.
- II. Level Three Notice to Classified Civil Service (CCS) Staff
 - A. Requests for Level Three Notice hearings for CCS staff are made to OHR Employee Relations within a reasonable period of time from the last alleged infraction or notice of the infraction, unless considerable investigation is necessary. Requests must contain:



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1. Staff member’s name, job title and work address (or home address if the staff member is not currently working) and the work schedules of the staff member and supervisor.
 2. Summary statement and appropriate documentation of what has already occurred in the performance improvement process and the reasons for requesting the hearing.
 3. Other specific documentation as requested by OHR Employee Relations.
- B. Upon receipt of a request for Level Three Notice, a hearing will be scheduled and the staff member and the supervisor will be notified of the date, time and location. During the hearing, the supervisor should be prepared to discuss the reasons and the basis for requesting the action. The staff member will have an opportunity to explain and present evidence as to why action should not be taken.
- C. After the hearing, OHR Employee Relations will determine appropriate action and notify the college/VP unit and staff member of the decision. The Office of Human Resources will strive to issue decisions within 15 calendar days of the hearing unless considerable investigation or a second hearing is necessary.
- D. CCS staff may appeal the following actions to the [State Personnel Board of Review](#):
1. Demotion except during the promotional probationary period.
 2. Termination (Level Three Notice) except during the initial probationary period and for conviction of a felony.
- III. Return of University Property
- Staff must return all university property. The college/VP unit must ensure that the department collects all university property and removes system access on or before the last work day or when commencing administrative leave, at a time determined by the department.

Responsibilities

Position or Office	Responsibilities
Office of Human Resources	<ul style="list-style-type: none"> A. Consult with units and employees on philosophy and process regarding performance improvement and termination. B. Consult with units and approve requests for placing staff on administrative leave. <p>For unclassified staff:</p> <ul style="list-style-type: none"> C. Consult with units on terminations of unclassified staff. D. Process unclassified staff rehire ineligibility in HRIS when notified by the college/VP unit. <p>For CCS staff:</p> <ul style="list-style-type: none"> E. Schedule hearings including notifying the staff member and supervisor of the date, time and location. F. Determine appropriate action and notify the college/VP unit, department and staff member of the decision after the hearing. G. Serve as CCS appointing authority. H. Notify staff who are deemed ineligible for rehire in writing at the time of termination. I. Enter ineligibility for rehire data into the HRIS system. J. Consult with units and approve probationary removals.
College/VP Unit	<ul style="list-style-type: none"> A. For emergency, intermittent and temporary classified and unclassified staff, consult with OHR Employee Relations when determining eligibility for rehire. Send a copy of rehire ineligibility notification to OHR Employee Relations. B. Ensure that supervisors and managers understand and use the performance improvement process appropriately. C. Get approval from OHR Employee Relations when placing a staff member on administrative leave. D. Update the staff member’s HRIS and personnel records. E. Verify the staff member’s leave balances and request vacation pay out from the Office of the Controller, Division of Payroll Services upon termination. F. Ensure all university property is collected and that system access is removed on or before the last work day or when commencing administrative leave.



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	<p>For regular and term unclassified staff:</p> <ul style="list-style-type: none"> G. Consult with OHR Employee Relations on termination of unclassified staff. H. Determine if staff are ineligible for rehire in consultation with OHR Employee Relations. I. Notify staff who are deemed ineligible for rehire in writing at the time of termination. J. Enter ineligibility for rehire data into the HRIS system. K. Send a copy of rehire ineligibility notification to OHR Employee Relations. <p>For regular CCS staff:</p> <ul style="list-style-type: none"> L. Work with supervisors on Written Coaching and Level One Notice. M. Review supervisor's Level Two Notice request, document staff member's response and issue Level Two Notice after OHR Employee Relations' review. N. Notify staff in writing that performance will be reviewed in the reduction in force process. O. Forward hearing requests to OHR Employee Relations for Level Three Notice. P. Make determination to accept or reject a request to resign in lieu of involuntary termination. If the resignation is accepted, issue letter of acceptance of resignation in lieu of termination including whether the employee is eligible for rehire or not in consultation with OHR Employee Relations. Send a copy of the rehire ineligibility notification to OHR Employee Relations. Q. Request probationary removals from OHR Employee Relations.
Supervisor	<ul style="list-style-type: none"> A. Conduct performance improvement discussions and provide coaching and feedback to staff. B. Document performance improvement process and staff member response. <p>For unclassified staff:</p> <ul style="list-style-type: none"> C. Prepare performance improvement plan in collaboration with the college/VP unit senior human resource professional. <p>For CCS staff:</p> <ul style="list-style-type: none"> D. Complete Written Coaching and Level One Notice in consultation with the college/VP unit senior human resource professional. E. Forward requests for Level Two Notice and Level Three Notice to the college/VP unit senior human resource professional.
Employee	<ul style="list-style-type: none"> A. Provide information about performance and why the performance improvement process action should not be taken. B. Return all university property at the time determined by management, on or before the last work day or when commencing administrative leave. C. Follow all university and college/VP unit policies, procedures and guidelines.

Resources

- Corrective Action Website hr.osu.edu/services/elr/
- Improving My Performance Employee Guide hr.osu.edu/wp-content/uploads/policy510-improving-performance-employee-guide.pdf
- Leaving University Employment hr.osu.edu/life-events/leaving-ohio-state/
- Ohio Revised Code 124.388 (Administrative Leave) codes.ohio.gov/orc/124.388
- Performance Improvement Process Guide hr.osu.edu/services/elr/performance-improvement-corrective-action/
- Performance Management, Policy 5.25, hr.osu.edu/wp-content/uploads/policy525.pdf
- Probationary Period, Policy 5.10, hr.osu.edu/wp-content/uploads/policy510.pdf
- University Rules for the Classified Civil Service hr.osu.edu/policies-forms/rules-for-ccs/



Corrective Action and Involuntary Termination Policy 8.15

Office of Human Resources

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Contacts

Subject	Office	Telephone	E-mail/URL
Policy questions	HR Connection	614-247-myHR (6947)	HRConnection@osu.edu
Appeals for CCS staff only; 3rd Level Notice (Termination)	State Personnel Board of Review	614-466-7046	pbr.ohio.gov

History

Issued: 10/01/1973 Issued as Disciplinary Action
 Revised: 10/01/1980
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