

UNH-GEU-UAW Counterproposal to
UNH Counterproposal July 22, 2025
August 5, 2025

ARTICLE XX

DISCIPLINE AND DISMISSAL

Section XX.1:

The University shall not discipline a Graduate Employee (GE) without just cause. Under this article “discipline” means written warnings, unpaid suspensions, or dismissal-from employment from a GE appointment based upon job-related misconduct. Informal conversations that are developmental in nature, and verbal warnings are not considered discipline as defined by this article. It is expected that when appropriate, supervisors will initiate an informal conversation to address concerns prior to taking disciplinary action, and this informal conversation is not considered a form of discipline.

Section XX.2:

This article does not apply to determinations made by the University to dismiss a graduate student from the University for academic reasons or non-job-related disciplinary reasons.—An arbitrator shall therefore have no power to order reinstatement to a GE position for any individual or group of individuals who are no longer a graduate student at the University as a result of academic reasons. Nothing in this article shall preclude GEs from appealing such academic dismissals.

Section XX. 3:

Prior to issuing discipline, the University will provide written notice to the GE and afford them an opportunity to meet and discuss the allegations during an investigatory meeting. This notice, at minimum, shall include: the reason(s) for the investigation, the potential level of discipline that could be rendered and notice of the right to Union representation. Nothing in this Article is intended to diminish a GE’s *Weingarten* or *Loudermill* rights.

Section XX.4:

Notice of Discipline: The University will promptly notify the GE in writing of the issuance of discipline, which may be challenged based on the standard articulated in this article. GE’s wishing to challenge the discipline will utilize the grievance process defined in Article X – Grievances & Arbitration.

Section XX.5:

Unpaid Suspension and Dismissal from Employment: Prior to a GE being disciplined with an unpaid suspension or dismissal, the GE shall be provided with a written statement of the reasons

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for which dismissal or unpaid suspension is being considered. The notice shall include the nature of the violation, the level of discipline, the right to hearing and the right to Union representation.

Within seven (7) calendar days after receiving the notice, a GE may request a disciplinary hearing of the supervisor or administrator who issued the discipline. The hearing shall take place if necessary, at a mutually agreed time and location. During the disciplinary hearing, the GE shall be told the final outcome of the investigation, be provided an explanation for any disciplinary action and be afforded an opportunity to respond to the reasons for the discipline. The GE shall have the right to a Union representative, who may attend if the GE so desires.

Upon request, the GE shall be entitled to a copy of any investigatory report that has been prepared, although confidential information and witness statements may be redacted.

Section XX.6:

The GE and the Union shall be notified in writing of any decision of disciplinary action taken against a GE within seven (7) days of the determination.

Section XX.7:

If the University discharges a GE, the Union may appeal the dismissal using the Expedited Grievances provision as set forth in *Article XX Grievance and Arbitration*.

Section XX.8:

The University shall maintain all disciplinary actions as confidential to the GE and the Union. No disciplinary proceedings shall be made public without the written consent of the GE.

Section XX.9:

The University may place a GE on paid administrative leave without prior notice in order to investigate allegations of misconduct or dereliction of duty that, in the judgment of the University, warrant relieving the GE from work duties or removing the GE from the premises. The Union will be promptly notified of any such administrative leave. At the conclusion of the investigation, the University shall notify the GE and the Union of the results of the investigation and either initiate the discipline process or put the GE back to work if the term of the GE's appointment has not ended. If the term of the GE's appointment ends during paid administrative leave, the paid leave will terminate as of the end of that appointment term.

- (a) Paid administrative leave shall not be considered discipline.
- (b) If no disciplinary action is taken, no record of administrative leave will be placed in the GE's employment file and the time spent on administrative leave shall ~~not count~~

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~~towards~~ ~~neither not~~ shorten ~~nor lengthen~~ the GE's funding guarantee. ~~per Article XX: Job
Security~~