ARTICLE 17 - Progressive Sanctions

Section 1. Cause.

If a member is subject to sanction for just cause, such cause for the imposition of sanctions is defined as follows:

a) Failure to carry out responsibilities as defined in Article 16 - (Responsibilities of Members).

Failure to adhere to the reasonable rules and policies of the University, including the failure to perform the responsibilities of a faculty member, arising out of one's particular assignment, toward students, toward colleagues, or toward the institution in its primary educational and scholarly functions and secondary administrative functions of maintaining property, disbursing funds, keeping records, sponsoring activities, and protecting the health and safety of persons in the institutional community. Evidence to demonstrate cause under the standard set forth in this Subsection may include, but is not limited to, evidence of incompetence, gross inefficiency, default of academic integrity in teaching, research, or scholarship, and intentional or habitual neglect of duty, illegal and unethical activity, unexcused absence from assigned work.


Recognizing the importance of proper notice as it relates to corrective discipline, the parties agree that faculty members will be given explicit notice of any failure to adhere to the reasonable rules and policies of the University referenced in the paragraph above in a formal meeting with their dean or director. They may, at their request, be joined in this meeting by a union representative. Further, the parties agree that sanctions, when imposed, will progress for repeated failure to meet professional obligations. However, in some circumstances, actions or omissions, which have resulted or will result in irreparable harm to the academic community or members thereof, may require the imposition of severe sanctions in the first instance. Sanctions shall include oral reprimand, oral reprimand with notation to the personnel file, written reprimand, suspension without pay, temporary suspension from the assignment for which they are failing to meet professional obligations, and discharge. These sanctions are not intended to be sequential.

Section 3. Procedures for the Imposition of Sanctions.

a) Sanction of Oral Reprimand. The sanction of oral reprimand may be imposed by the appropriate administrative officer if he/she believes that there is cause to warrant the sanction. The sanction of oral reprimand shall be imposed within ninety (90) calendar days of the appropriate administrator's knowledge of the act, failure to perform, or condition on which the sanction is based.
b) Sanction of Oral Reprimand with Notation to File. The sanction of oral reprimand with notation to file may be imposed by the appropriate administrative officer if he/she believes that there is cause to warrant the sanction. The sanction or oral reprimand with notation to file shall be imposed within (90) calendar days of the appropriate administrator's knowledge of the act, failure to perform, or condition on which the sanction is based.

After twelve (12) calendar months from the date of an oral reprimand with notation to file, if no further sanction has been imposed against a faculty member regarding this specific sanction, the notation shall be removed from the member's file with written notice to the current faculty member upon removal.

c) Sanctions More Severe than Oral Reprimand. Complaints alleging that a faculty member has engaged in conduct such as to warrant the imposition of sanctions more severe than oral reprimand shall be filed with the President of the University or a designee. Such complaints shall be in writing and shall state specifically the facts believed to constitute the grounds for the imposition of such sanctions. Upon receiving such written complaint, the President or designee shall promptly refer it to an appropriate administrative officer and shall also have a copy of the written complaint delivered in person to the faculty member or sent by certified mail to a last known address. If the administrator finds that there is no basis for a sanction, the administrator shall notify affected parties thereby terminating the process. The administrative officer shall fully explore the possibility of a settlement mutually acceptable to the faculty member and the officer. If no mutual settlement is effected, the following procedures shall apply:

1. Written Reprimand. If in the judgment of the administrative officer to whom the complaint has been referred, the preponderance of the evidence supports the complaint against the faculty member, the officer may determine that the imposition of a sanction of written reprimand is warranted.

After thirty-six (36) calendar months year from the date of a written reprimand, if no further sanction has been imposed against a faculty member regarding this specific sanction, the written reprimand or notation shall be removed from the member's file with written notice to the current faculty member upon removal.

2. Sanction More Severe than Written Reprimand are as referenced in Section 2 above. If the appropriate administrative officer believes that a sanction more severe than a written reprimand is called for, a notice of intent to impose severe sanction shall be served by certified mail (with return receipt requested) to the member's address of record. The notice shall contain a description of the alleged act(s) or omission(s), date(s), time(s), place(s), and proposed sanction. In addition, the notice must inform the individual of their right to file a grievance under Article Eighteen of this Agreement within ten (10) days of receiving this letter. The Union shall concurrently receive the notice at the same time.
Other Sanctions for Cause

If no other severe sanctions are administered within thirty-six (36) calendar months after severe sanctions are imposed, all references to the sanctions shall be removed from the personnel file folder at the end of the period.

d) Suspension of a faculty member during the investigation of a potential sanction is based on the severity of the allegation or if immediate harm to the member or others is threatened by the member's continuance. The member suspended shall be given a copy of the charge prior to their dismissal and given an opportunity to rebut the charges.

Section 4. Rights of Members.

The University shall conduct disciplinary conferences in private. Members shall have the right to AAP representation upon request.

The University and Associated Academic Professionals agree that the sanction procedures described in this Article shall supersede those procedures described in OAR 580-012-0010 (Oregon Administrative Rules).

Tentative Agreement

Date: 7/9/14

Art Doherty
EOU Acting Chief Negotiator

Donald Wolff
AAP Chief Negotiator