

## **Rule 5-111D--Removing a Written Warning Notice and/or Final Written Warning Notice From a Staff Employee File**

### **I. Purpose and Scope**

This rule outlines the process by which all University of Utah departments or units may request removal of a Written Warning Notice (WWN) or a Final Written Warning Notice (FWWN) issued to a staff member (non academic).

### **II. Definitions**

Definitions for this rule are the same as those identified by University of Utah Regulations Library, 5-111 - *Corrective Action and Termination Policy for Staff Members*.

### **III. Rule**

A request to remove a WWN or a FWWN from an employee's personnel file may be submitted by the staff member's current supervisor. The request must be submitted in writing to Employee Relations (ER) no sooner than 18 months after the date of the WWN and no sooner than 30 months after the date of the FWWN.

The written request must include the following:

- A. Name and University ID number (UNID) of the staff member.
- B. The reason the supervisor wishes to remove the WWN/FWWN.
- C. The reason the conditions that led to the WWN/FWWN no longer apply.
- D. Acknowledgement that the WWN/FWWN will no longer exist and, if approved, the supervisor may not reference it in the future.

The written request to remove a FWWN must also include the approval of the next higher level supervisor. A FWWN issued for conduct consisting of egregious

behavior will not be removed. See "Egregious Behavior Examples" guidelines. In addition, there are many other reasons why a manager may decide not to remove a FWWN; it is left to the manager's discretion.

All requests will be reviewed on an individual basis. The ER Specialist will evaluate the request based on the following:

- A. Legitimacy of the reason for the request.
- B. Performance of the individual since the warning.
  - 1. No other warnings--verbal or written, since the warning was issued.
  - 2. Must have at least one employee performance review or reviews at least annually, since the warning was issued. Employee performance review(s) must reflect satisfactory performance.
- C. The WWN must have been dated at least 18 months prior to the request for removal.
- D. The FWWN must have been dated at least 30 months prior to the request for removal.

The ER Specialist will send a request to remove a WWN to the ER Manager for approval. A request to remove a FWWN will be sent to the ER Manager and then to the Assoc. VP of HR for final approval.

If approved, the ER Specialist will:

- A. Notify the supervisor of the approval.
- B. Maintain appropriate documentation regarding the action which must reflect the basis for the decision to remove the WWN/FWWN.
- C. Remove the WWN/FWWN from the personnel file.
- D. Remove the WWN/FWWN from PeopleSoft.

This rule does not apply to cases where departments, in consultation with Human Resources and Legal Counsel, agree to the removal of a WWN or FWWN as part of a separation or resolution agreement.

## **II. References**

- A. University of Utah Regulations Library, 5-111 - *Corrective Action and Termination Policy for Staff Employees.*
- B. University of Utah Regulations Library, 5-111 associated rule - *Egregious Behavior Examples List.*
- C. University of Utah Regulations Library, 5-002 - *Personnel File.*

## **III. History**

This Rule was approved by the Cabinet on July 30, 2009