

## **I. Summary**

This local procedure in conjunction with Personnel Policy for Staff Members (PPSM)-63: Investigatory Leave is to provide managers/supervisors guidance on when investigatory leave may be warranted and the required process.

## **II. Related Policies and References**

- A. [PPSM-62: Corrective Action](#)
- B. [PPSM-63: Investigatory Leave](#)
- C. [UC Sexual Violence and Sexual Harassment Policy](#)
- D. [Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel](#)

## **III. Policy**

- A. Investigatory leave is a type of leave available to use when circumstances warrant removing an employee from the worksite during the course of the University's investigation of allegations against an employee.
- B. An employee may be placed on investigatory leave with or without prior written notice.
- C. The types of alleged conduct that may warrant placing an employee on investigatory leave include, but are not limited to:
  - 1. dishonesty;
  - 2. theft or misappropriation of University property;
  - 3. insubordination;
  - 4. violation of federal or state law;
  - 5. exploitation, intimidation, discrimination, or harassment;
  - 6. acts endangering employees, students, visitors, or other University constituents;
  - 7. sexual violence, sexual harassment, or other prohibited behavior; or
  - 8. any other conduct that warrants removing the employee from the worksite to conduct a University investigation.
- D. While on investigatory leave, the employee must be available to cooperate with the University's investigation.

## **IV. Procedures**

- A. Prior to placing an employee on an investigatory leave, supervisors must consult with Employee and Labor Relations (ELR).
- B. If it is not possible to consult with ELR in advance of the decision, the department shall inform ELR about the decision as soon as possible following the decision, and it must be consistent with PPSM-63 for the reasons for such leave.
- C. **Written Notice**

1. A written notice must be provided to the employee placed on an investigatory leave. The notice must include:
  - a. the reason(s) for the leave;
  - b. the expected duration of the leave; and
  - c. informs the employee of their obligation to remain available to speak with and provide information to the University investigator upon request.
2. Timing
  - a. A written notice shall be provided to the employee when the leave begins.
  - b. If a written notice was not provided when the leave began, the employee shall be notified in writing no later than three (3) working days after the leave began.

#### **D. Length of Time**

1. The length of time an employee is placed on investigatory leave will vary depending on a number of factors, but primarily based on the amount of time it takes to fully investigate the charges.
2. An employee placed on leave will be kept advised of their status and the anticipated date when their leave will be concluded.
3. If additional time to investigate is required, the investigatory leave may be extended by written notice to the employee.

#### **E. Conclusion of Investigation**

1. If no suspension without pay or dismissal action is taken, the employee shall be paid for the leave period.
2. If suspension or dismissal action is taken, normally up to 15 workdays of the investigatory leave may be without pay, provided the notice and employee response provisions of PPSM-62: Corrective Action have been followed before the final decision to take such action is made. In unusual circumstances, this 15-workday time frame may be extended.
3. If the outcome of the investigatory leave is dismissal, the employee shall not be paid for the period of the investigation.