

Pathway to Progressive Engagement Guidelines for Managing Staff Employee Compliance with UC San Diego Enhanced Safety Requirements

UC San Diego has developed [enhanced safety requirements](#)¹ to promote health and safety in compliance with public health orders and UC San Diego policy during the COVID-19 pandemic. All members of the UC San Diego community are expected to follow the new requirements, including any safety protocols established within individual labs or units in furtherance of these requirements².

All members of a department, program or unit should be encouraged to report to their work lead, direct supervisor and up the leadership chain, any instance in which they observe another employee in the unit failing to adhere to the safety requirements³. When an employee fails, as an individual, to act in accordance with safety requirements⁴, the progressive engagement plan below will be followed. However, the progressive engagement plan does not preclude the initiation of discipline, or other safety related actions, prior to completing the pathway in cases where behavior is particularly egregious. In addition, the pathway will not be used for employees who induce or otherwise cause others to fail to comply with safety requirements. In those cases, the administration may place the employee on investigatory leave and/or initiate appropriate discipline in accordance with Policy or the applicable Collective Bargaining Agreement (CBA).

The pathway for progressive engagement for staff employees is as follows:

1. Upon the first instance of reported or observed conduct in violation of the safety requirements, the supervisor or work lead⁵ (hereinafter “supervisor) will meet with the employee to discuss the alleged conduct:

¹ 1) All UC San Diego staff, academic appointees (including faculty), and student employees who are reporting to campus or any other physical UC San Diego location for work must [conduct a self-screening for COVID-19 symptoms and exposure](#) and report any symptoms; 2) [face masks covering both the nose and mouth are required](#) for all individuals present onsite at any UC San Diego location; and 3) social distancing of six feet or more must be maintained in all areas. All are responsible for complying with these requirements. Guidelines for academic appointees and student employees are addressed separately.

² Instances of non-compliance in a research setting in addition to the pathways below, will be forwarded to ORA for a separate investigation of reported concerns.

³ Alternatively, reports may be submitted to <http://blink.ucsd.edu/go/safetyconcern>, or to the UC Whistleblower Hotline (800-403-4744 or www.UniversityofCalifornia.edu/Hotline).

⁴ Note: These guidelines are intended for use only with Campus staff employees. For cases involving conduct by academic appointees, please contact Academic Employee Relations in Academic Personnel Services.

⁵ HR personnel, the MSO or DBO may also be present.

- The supervisor will describe the specific observed or reported conduct, provide the employee with the opportunity to respond, and ask the employee if there is anything the supervisor can do to assist the employee in compliance.
 - If there is an indication of a review needed for accommodation, the supervisor will contact Human Resources Employee Relations and/or Disability Counseling and Consulting.
 - If there is no implication of review for an appropriate accommodation, the supervisor will remind the employee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.
 - The supervisor will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance (e.g., address any structural concerns inhibiting social distancing, or lack of adequate facial covering, etc.)
 - The supervisor will advise the employee that a subsequent violation of safety requirements will result in additional action which may include escalation to additional leadership.
 - The supervisor will send a written summary of the meeting via email to employee, with a copy to the HR contact to document the conversation.
2. Upon a second instance of reported or observed conduct in violation of the safety requirements, the supervisor will report the alleged conduct to their leadership, and either meet with the employee again to discuss the alleged conduct or the additional leader will meet with the employee to discuss the alleged conduct:
- The supervisor or other leader will describe the specific observed or reported conduct, remind the employee of the prior conduct as addressed in the previous meeting with the supervisor, and provide the employee with the opportunity to respond.
 - If there is no implication of review for an appropriate accommodation, the supervisor or other leader will remind the employee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.
 - The supervisor or other leader will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance.
 - The supervisor or other leader will advise the employee that a subsequent violation of safety requirements will result in escalation to the AVC, Executive Director or VC as appropriate, and discipline, if appropriate.
 - The supervisor or other leader will send a written summary of the meeting via email to the employee, with a copy to the appropriate leadership and HR contact to document the conversation.
3. Upon a third instance of reported or observed conduct in violation of the safety requirements, the supervisor will report the alleged conduct to the AVC, Executive Director and/or VC, the HR contact and Employee Relations. After review and consultation with Employee Relations, the appropriate leader, along with HR will meet with the employee to

discuss the alleged conduct:

- The leader will describe the specific observed or reported conduct, remind the employee of the prior conduct as addressed in previous meetings, and provide the employee with the opportunity to respond.
 - If there is no implication of review for an appropriate accommodation, the leader will remind the employee of the specific UC San Diego safety requirement(s) applicable to the alleged conduct.
 - The leader will clearly articulate behavioral expectations going forward, and an action plan to ensure compliance.
 - The leader will advise the employee that a follow up meeting will be held to discuss appropriate next steps.
 - Employee Relations will work with the leader and HR contact on the appropriate level of discipline as required by the Policy for PSS or MSP employees, or by the CBA for represented employees.
4. A subsequent instance of reported or observed conduct in violation of the safety requirements may result in progressive discipline, up to and including termination.