KUNM VOLUNTEER PERFORMANCE MANAGEMENT PROCEDURE

Approved November 10, 2009

1. General

Volunteers play a valuable and critical role in helping KUNM fulfill its mission. Supervisors have a responsibility to train and support each volunteer in understanding requirements of his/her assignment and to assist them in improving performance. Volunteers should be treated with dignity and respect. Providing quality programs and services requires cooperation by volunteers and adherence to established policies, procedures, regulations, practices, and high standards of performance. In an effort to maximize the contribution of every volunteer, KUNM has adopted this policy on performance management.

KUNM encourages a supportive problem-solving approach to performance problems, but KUNM recognizes that misconduct and continued performance problems may require disciplinary action. KUNM uses the progressive discipline process described herein, to address misconduct and continued performance problems. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide volunteers with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior or performance may be of such serious nature that severe discipline, including immediate suspension or removal, may be appropriate. KUNM retains the right in accordance with applicable federal and state laws and Regents' policies to determine the methods, means, and personnel required to maintain efficient operations and the appropriate level of corrective or disciplinary actions in a given case.

2. Supervisor Responsibilities

Supervisors should seek to achieve a productive, effective work environment by ensuring that each volunteer's performance meets expectations. Supervisors should make appropriate efforts to ensure that volunteers understand the requirements and expectations of their assignment, and
supervisors should address problems that may impact on performance in a timely, constructive, and corrective manner.

KUNM does not condone poor performance; however, it recognizes that good "coaching" can correct many performance deficiencies. Good performance management involves continuous feedback to volunteers. Supervisors should evaluate performance, identify shortcomings, and plan training needed to correct any weaknesses. Additionally, it is incumbent upon the volunteer to be willing to seek and accept constructive coaching of his or her duties, specifically with regard to on-air programming.

Supervisors should use a problem-solving approach to resolving performance problems. When a volunteer is not suited to a specific position, a supervisor may wish to consider a transfer to a different position, which may be better suited to the volunteer. A transfer may be appropriate when there is a comparable position open at the station and such a transfer is reasonably predicted to result in improved performance. When performance problems continue or volunteer misconduct is of a serious nature, disciplinary actions will be the most appropriate measure. The objective of the following corrective actions is not intended to be punitive, rather it seeks to return the volunteer to positive productive performance.

3. Progressive Discipline

KUNM uses progressive discipline, which provides a volunteer a reasonable opportunity to meet the requirements of their assignment, comply with station and University policies, procedures, practices, and regulations, and to improve individual performance.

Progressive discipline may not be appropriate in all instances and is not a bar to KUNM taking such action as may be deemed appropriate under the circumstances of a given case. For example, some violations listed in Section 4 are usually considered to be of such a serious nature that disciplinary action could lead directly to suspension or removal. Progressive discipline actions include the use of oral warnings, written warnings, suspensions, and/or removal. Discipline should be administered equitably, consistently, and progressively. Depending on the nature of the performance problem or misconduct, a supervisor may start progressive discipline
at any appropriate point in the process. The following sections describe in detail the actions used in progressive discipline.

3.1. Oral Warning

The primary objective of oral warning(s) is to advise the volunteer that there is a performance problem and to tell the volunteer what he or she can do to restore satisfactory performance. It is expected that most such discussions will result in improved performance. An oral warning should include:

- A description of the nature of the problem and allow the volunteer to explain any reason for the problem and suggest ways to correct the situation;
- A description of the policies or rules violated (if any);
- The specific actions to be taken by the volunteer and/or supervisor to correct the problem, including specific time frames, if appropriate;
- That further disciplinary action will occur should the problem persist; and
- That disciplinary action may be disputed according to the provisions of the KUNM Grievance Procedure.

The supervisor must state to the volunteer that this is an "oral warning." An oral warning is not documented in the volunteer's file, however, the supervisor shall maintain a record of any oral warnings given. The supervisor will normally refer to any previous oral warning if further disciplinary action is taken.

3.2 Written Warning

A written warning provides the volunteer with a written explanation of the events leading to the warning, an explanation of any applicable rules, and any subsequent information that can help the volunteer improve the identified performance problem. The written warning must state that this is a "written warning" and that if the volunteer does not improve performance to a satisfactory level within the time frames listed more serious disciplinary action will take place. A written warning is documented in the volunteer's file. The written warning should include:
• A description of the nature of the problem, including reference to any earlier oral warning(s);
• A citation of the policies or rules violated (if any);
• The specific action plan to be taken by the volunteer and/or supervisor to correct the problem, including specific time frames, if appropriate;
• A statement that further disciplinary action, up to and including removal, could occur should the problem persist; and
• A statement that disciplinary action may be disputed according to the provisions of the KUNM Grievance Procedure.

3.3 Suspension

A suspension is a temporary involuntary separation from the volunteer’s assignment at KUNM resulting from performance problems that have not been satisfactorily corrected through the use of oral and written warnings or for misconduct or serious violation of policy. Suspensions range from one (1) workday up to thirty (30) workdays, depending on the seriousness of the problem. The supervisor must comply with the notice requirements of Section 5 of these Procedures, and should inform the volunteer in writing that the suspension is a disciplinary action and that removal could occur should the problem persist. A suspension requires approval, in advance, of KUNM’s General Manager.

3.4 Removal

A removal is a permanent involuntary separation of a volunteer from KUNM for disciplinary reasons. A removal requires approval, in advance, of KUNM’s General Manager.

4. Unacceptable Behavior

Unacceptable behavior is any behavior significant or substantial in nature relating to the volunteer's work that is inconsistent with the volunteer's obligation to KUNM. A list of examples of behavior, which when significant or substantial in nature, that is unacceptable is shown below for guidance only, and is not considered as an all inclusive list.
• Assault or battery on another person.
• Conviction of a felony or misdemeanor where the provisions of the Criminal Offender Employment Act apply, depending on the nature of the offense and the type of position.
• Creating a hostile working environment.
• Falsification (deliberate) or omission of information on employment applications or resumes, time cards/records, or other station records.
• Illegal drugs and alcohol - violation of the University's "Policy on Illegal Drugs and Alcohol."
• Incompetence.
• Inefficiency.
• Insubordination.
• Intoxication on the premises..
• Misappropriation or personal use of KUNM funds, property, possessions, or resources.
• Misconduct
• Negligence.
• Performance that continues to be inadequate after reasonable time has been allowed to correct it.
• Sexual Harassment
• Theft or fraud.
• Uncooperative behavior.
• Confidentiality - violation of confidentiality or the release of confidential information.
• Violation of University policies.

5. Notice Requirements

5.1 Notice of Contemplated Action

To initiate a suspension or removal of a volunteer, the supervisor must obtain prior approval as described in Section 3 and serve the volunteer with written notice of the contemplated action. This notice must include all the following points:
• Cite the acts that the supervisor believes constitute unacceptable behavior. These may be any one (1) or more of the acts listed in Section 4 herein.
• Give a summary of the evidence against the volunteer.
• Specify the contemplated action.
• State that the volunteer has ten (10) calendar days from receipt of the notice to respond orally or in writing to the contemplated action.

5.2 Notices

Notices shall be in writing and should be served in person, if possible. At the time of service, the volunteer should be asked to sign an acknowledgement of receipt. If the volunteer declines, the supervisor shall so note for the record. If the notice cannot be served in person, the notice may be sent by certified mail with a return receipt requested. The notice must be properly stamped and addressed to the last address provided by the volunteer. Service of the notice is complete when the notice is hand delivered or deposited with the United States Postal Service by certified mail with a return receipt requested.

5.3 Computation of Time

Any time period defined by this procedure, does not include the day of the action from which the time period begins to run. If the last day of the time period falls on a Saturday, Sunday, or holiday, the last day of the time period shall be the next day of the normal work week (Monday – Friday).

5.4 Response to Notice of Contemplated Action

The volunteer or a representative of the volunteer's choosing may respond orally and/or in writing to the notice of contemplated action. The response is served to the supervisor who signed the notice. If the volunteer wishes to meet with the supervisor to respond to the notice of contemplated action, he or she must submit a written request for the meeting within five (5) work days from receipt of the notice, or the volunteer will be deemed to have waived the right to an oral response. As stated herein, the volunteer must respond orally and/or in writing within ten (10) calendar days from receipt of the notice. Any extension of time must be in writing and
agreed upon by both the volunteer and the supervisor no later than the date of the deadline for response.

5.5 Notice of Final Action

After considering the volunteer's oral and/or written response, the supervisor shall decide on the final action and serve the volunteer with a written notice of final action. The notice of final action shall be within thirty (30) calendar days after receipt of the volunteer's response and include all the following points:

- The final action to be taken.
- The acts constituting unacceptable behavior, which shall only include allegations specified in the Notice of Contemplated Action.
- A summary of the evidence.
- A reply to the volunteer's response, if any.
- The effective date of any disciplinary action.

A statement that the volunteer may file a grievance in accordance with the KUNM Grievance Procedure within fifteen (15) working days of receipt of the Notice of Final Action.

6. Conclusion

This KUNM Volunteer Performance Management Procedure provides a procedure for performance management and corrective action with regard to KUNM volunteers. It is not intended to and does not constitute or create a contract of employment between any KUNM volunteer and KUNM and/or the University of New Mexico. The volunteers understand and agree that they remain volunteers and not employees of KUNM or the University of New Mexico.