



Policies and Procedures

3.XX Investigative Leave

PURPOSE:

The purpose of this policy is to provide guidance for situations that require removing an employee from the workplace while conducting internal fact-finding investigations of alleged behaviors and/or actions that may violate Wichita State University (“University”) policy, rules and/or employment expectations. The processes involving allegations of sexual misconduct, sexual harassment, relationship violence, stalking, and/or discrimination are addressed in separate policies.

SCOPE:

This policy applies to all University employees except those who are covered by a collective bargaining agreement.

POLICY STATEMENT:

The University strives to provide a professional work and learning environment free from behaviors and/or actions that violate University policy, rules and/or employment expectations.

DEFINITIONS:

Investigative Leave: A mandated leave that removes an employee from the University pending the outcome of an internal investigation of alleged behaviors and/or actions that may violate University policy, rules and/or employment expectations. The length of Investigative Leave will be determined on a case-by-case basis.

Investigator: For purposes of this policy, Investigator is the individual(s) conducting the internal investigation.

Leadership: For purposes of this policy, Leadership includes individuals at the University who have employees reporting to them, or Department Chairs/Directors.

PROCEDURE:

1. Leadership or Investigator consults with HR regarding the potential need for Investigative Leave prior to implementation, if at all possible, unless it is not feasible due to the nature of the incidents.

2. Leadership or Investigator communicates the decision to the employee upon placement on Investigative Leave using the Investigative Leave Memo.
3. Leadership or Investigator collects the employee's WSU ID, keys, and other University property or information as deemed appropriate.
4. Leadership, Investigator, or HR notifies appropriate departments to disable access including, but not limited to, computer, network, and badge/door access.
5. Appropriate employee(s) are engaged to conduct an internal investigation.
6. Based upon the investigative findings, Leadership, Investigator, and/or HR determine any action to be implemented and obtain appropriate levels of approval.
7. Leadership, Investigator, and/or HR prepares documentation to provide to the employee with details of the determined action, using Coaching and Corrective Action forms if applicable.
8. Leadership, Investigator, and/or HR meets with the employee to communicate the investigative findings and determined actions. The communication is delivered prior to an employee returning to work from Investigative Leave.
9. Leadership ensures timekeeping rules are applied accurately. Investigative Leave may be paid with benefits, except in rare circumstances identified by Leadership the Investigator, and/or HR. Leadership coordinates with HR to make any adjustments to timekeeping and compensation as appropriate.
10. Responsibilities
 - a. Leadership, Investigator, and HR
 - (1) Knowledgeable of the policy and procedures.
 - (2) Conducts all investigations promptly, thoroughly, and impartially without bias.
 - (3) Maintains confidentiality regarding internal investigations.
 - b. Employee:
 - (1) Cooperates with internal investigation by sharing knowledge, information, evidence, and documentation.
 - (2) Maintains confidentiality regarding the investigation when informed that it is required.
 - (3) Complies with the conditions of the implemented Investigative Leave Memo.

ATTACHMENTS

Attachment A: Investigative Leave Memo