

IRISH UNIVERSITIES ACT, 1908

ACHT CHOLÁISTE PHRÍOMH-SCOILE NA GAILLIMHE, 1929
ACHT NA nOLLSCOILEANNA, 1997

OLLSCOIL NA hÉIREANN, GAILLIMH

REACT CCLXXXI

Irish Universities Act, 1908

Acht Choláiste Phríomh-Scoile na Gaillimhe, 1929 Universities Act, 1997

National University of Ireland, Galway

STATUTE CCLXXXI

WE, Údarás na hOllscoile of National University of Ireland, Galway, under and by virtue of the powers in that behalf conferred on us by the above Acts, DO by this present instrument under the Seal of National University of Ireland, Galway, make the Statute contained in the Schedule hereto for the general government of the said University.

Given under the Common Seal of
National University of Ireland,
Galway, this fifth day of March,
Two Thousand and Four.

Present when the Common Seal
of National University of Ireland,
Galway, was affixed hereto:

L.S.

Iognáid Ó Muircheartaigh, *Uachtarán*
Séamus Mac Mathúna, *Rúnaí*

Schedule - STATUTE CCLXXXI

All previous Statutes of National University of Ireland, Galway, shall be read and construed with the alterations, additions and modifications hereinafter set forth.

CHAPTER I

SUSPENSION, DEMOTION AND DISMISSAL PROCEDURES

1. Pursuant to Section 25(6) of the Universities Act, 1997 the following procedures are hereby established in relation to the suspension, demotion and dismissal of employees of the University.
2. The University may suspend, demote or dismiss any employee but only following the application of such disciplinary procedures as may be adopted from time to time by Údarás na hOllscoile.
3. The said procedures shall provide that disciplinary action be taken only after the employee who is the subject of the disciplinary procedures has had an opportunity to present his/her case and after due consideration has been given to all relevant matters.
4.
 - (a) The procedures shall ordinarily provide for a sequence, where necessary, of disciplinary sanctions, which may involve a verbal warning, a written warning, a final written warning, suspension, demotion and dismissal.
 - (b) In cases of alleged gross misconduct, the definition of which shall be specified in the procedures, where an employee is the subject of an investigation to determine the actual chain of events, the employee will be suspended with pay pending the result of the investigation. Where it is found that the employee has been guilty of gross misconduct, he/she may be dismissed without the need to apply a sequence of warnings, suspension and demotion.
5.
 - (a) In a case where, following the application of the procedures, a final written warning has been issued and unsatisfactory conduct persists, or in a case of gross misconduct, the matter shall be reported to the Director of Human Resources or, in the case of permanent academic staff, to the President.
 - (b) The Director of Human Resources or, in the case of permanent academic staff, the President shall then consider the matter in accordance with the procedures referred to in Section 1 of this Chapter, which procedures shall provide for the establishment of a Disciplinary Panel to conduct a disciplinary hearing.
 - (c) The Disciplinary Panel shall decide whether disciplinary action should be taken and, if so, what type of disciplinary action, whether by way of suspension, demotion or dismissal, should apply. Notwithstanding the foregoing, in the case of permanent academic staff, where the Disciplinary Panel shall have recommended dismissal, the decision to dismiss shall rest with the President, who shall also have power to impose a lesser penalty than dismissal.

- (d) In the event that an employee is suspended, demoted or dismissed, the employee shall have the right to appeal.
6. The appeal process shall be specified in the procedures referred to in Section 1 of this Chapter; the procedures shall provide for the notification of an appeal to the President, the hearing of the appeal by an appropriately constituted Appeals Panel as set out in the said procedures, and for the right of representation, as defined in the procedures, for the employee.
 7. In the case of a Professor, Associate Professor or Lecturer appointed by the Senate of the National University of Ireland, a proposal for demotion or dismissal shall be considered by Údarás na hOllscoile, and the provisions of Chapter XXXIV of Statute XVII of the University shall apply thereto.
 8. In the event of the President's being the subject of disciplinary proceedings, all appropriate actions, whether in accordance with the procedures referred to in Section 1 of this Chapter or otherwise, shall be undertaken by or under the authority of Údarás na hOllscoile, in a manner specified by Údarás na hOllscoile, which shall retain its power of suspension, demotion or dismissal.

CHAPTER II

1. Nothing herein contained shall affect any appointment made, right acquired or act done under any previous Statute of the University.
2. This Statute shall come into operation on the fifth day of March, Two Thousand and Four, and may be cited as Statute CCLXXXI. National University of Ireland, Galway, or Stat. CCLXXXI, Nat. Univ. of I. Galway.

Present when the Common
Seal of National University of
Ireland, Galway, was affixed hereto:

L.S.

Iognáid Ó Muircheartaigh, *Uachtarán*
Séamus Mac Mathúna, *Rúnaí*