

Procedure 63: Investigatory Leave

Responsible Office: Human Resources

Issued: March 2016

Reviewed/Revised: June 2023

A. Purpose and Scope

UC Irvine Personnel Procedure 63 implements [PPSM-63, Investigatory Leave](#). This policy applies to all non-represented regular status (non-probationary) career employees.

Represented employees should consult their collective bargaining agreement (CBA).

B. Authority and Responsibility

Department heads and supervisors are responsible for implementing appropriate interim action in consultation with their Human Resources Business Partner.

C. Guidelines

General

1. Investigatory leave is a tool available to management in situations when it may be necessary to immediately remove an employee from the premises whose continued presence would potentially disrupt operations or otherwise endanger University interests.
2. It is to be used only when potential or actual misconduct issues are involved and the presence of the employee at work may interfere with an investigation or may further expose the University to harm through, for example, financial loss, danger to other employees, or adverse public perception.
3. The employee initially remains on paid status during the investigatory leave. Based on the results of the investigation, the paid leave may subsequently be converted to a suspension without pay or dismissal.

D. Procedures

1. After consulting with the assigned Human Resources Business Partner, the supervisor or department head may place an employee on investigatory leave without prior notice in order to review or investigate actions including but not limited to dishonesty, theft or misappropriation of University property, fighting on the job, insubordination, acts endangering others, or other conduct or unusual circumstances which warrant removing the employee from the premises.

2. The supervisor/department head should:
 - a. Tell the employee that they are being placed on investigatory leave, and that an investigation will occur;
 - b. Inform the employee of the reasons for the leave;
 - c. Request the return of University property (e.g., keys, electronic equipment, files, records, etc.);
 - d. Determine, in consultation with the Human Resources Business Partner, how to redirect emails sent to the employee's University email account, and limit the employee's access to University records and properties in accordance with University policy;
 - e. Direct the employee to leave the work site and inform the employee that they are not to return to work until authorized by the University.
3. The leave must be confirmed in writing to the employee, normally not later than three (3) working days after the leave is effective ([See Exhibit A](#)). The notice must:
 - a. Include the reasons for the investigatory leave;
 - b. State the expected dates of the leave;
 - c. Direct the employee to remain available for interviewing;
 - d. Notice that investigatory leave could be extended;
 - e. Include a Proof of Service prepared by someone other than the supervisor/department head and who is not a party to the issue under investigation ([See Exhibit B and Exhibit C](#)).
4. A copy of the letter, with a copy of the Proof of Service, should be placed in the employee's personnel file. At the conclusion of the investigation, a decision will be made whether to retain this letter in the file or to remove it.
 - a. Upon conclusion of the investigation, the supervisor/department head, in consultation with the Human Resources Business Partner, will determine if the period of the investigatory leave is to be converted to a paid leave and return to work, suspension without pay or dismissal. The supervisor/department head shall inform the employee in writing of the decision in conformance with the provisions of [PPSM-62](#), Corrective Action, and/or [PPSM-64](#), Termination and Job Abandonment as appropriate. For exempt employees only, suspension without pay may be imposed only in increments of full days.

E. References

Personnel Policies for Staff Members:

- [PPSM-62](#): Corrective Action
- [PPSM-63](#): Investigatory Leave
- [PPSM-64](#): Termination and Job Abandonment

Personnel Procedures for UCI Staff Members

- [UCI Procedure 62](#): Corrective Action
- [UCI Procedure 64](#): Termination and Job Abandonment