

MANUAL OF POLICY

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Date Approved by Board	Board Minute Order dated November 9, 1995 As Amended by Board Minute Order dated May 1, 2000 As Amended by Board Minute Order dated January 31, 2017	

Purpose

This policy establishes a procedure for guiding supervisors in disciplining employees under their supervision who engage in conduct that fails to conform to the College's employee standards of conduct.

Disciplinary Action Concerning Employees:

Disciplinary action against an employee shall be initiated by the immediate supervisor or other supervisor within the chain of command. The severity of the disciplinary action should match the corresponding conduct of the employee taking into consideration the following:

1. Severity of the offense;
2. Frequency of the offense, if appropriate;
3. Duration of employment;
4. Conduct of the employee;
5. Effect of the action of the employee on the general public, fellow workers, and the College;
and
6. All other extenuating circumstances relating to the particular facts of the situation.

The decision to discipline an employee should be made within a reasonable time after the occurrence of conduct or incident warranting disciplinary action. Supervisory personnel shall consult the Director of Human Resources for assistance and guidance in disciplinary actions other than verbal reprimands.

Disciplinary Action: Verbal Warning

A verbal warning is a basic disciplinary action where an employee is verbally informed by an immediate supervisor, or other supervisor within the chain of command, that the employee has engaged in conduct which fails to conform to the standards of conduct for College employees, and is admonished about the possible adverse consequences of engaging in the non-conforming conduct. In addition to a verbal warning, an employee may be counseled by a supervisor, or other supervisor within the chain of command, about how the employee may improve his/her conduct. A verbal warning or counseling session may be noted by the immediate supervisor, or other supervisor within the chain of command, maintained internally by the immediate supervisor.

Disciplinary Action: Written Reprimand

An immediate supervisor and/or department head may issue a written reprimand to an employee whose conduct fails to conform to the College's standard of conduct for employees. A written reprimand need not be preceded by a verbal warning. But, a written reprimand shall be issued if the employee fails to correct his or her conduct after having received a verbal warning. A written reprimand shall identify the employee's non-conforming conduct and admonishes the employee about the possible adverse consequences for engaging in the same or other non-conforming conduct. Written reprimands shall be discussed with the employee and be placed in the employee's personnel file at the Office of Human Resources. An employee may file a written response to the

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disciplinary action within 3 business days after receipt which response will be filed with the Office of Human Resources to be placed in the employee's file. Procedures and guidance for the written reprimand may be obtained from the Office of Human Resources.

Disciplinary Action: Conduct and Performance Improvement Plan

Where an employee's conduct fails to conform to the College's standard of conduct after having received a verbal warning and/or a written reprimand, the immediate supervisor and/or department head may, in lieu of recommending termination, place the employee on a written Conduct and Performance Improvement Plan. This plan should be developed with the assistance of the Director of Human Resources or the Employee Relations Officer. The Conduct and Performance Improvement Plan may be for no more than three (3) months, and should follow the procedures established and maintained at the Office of Human Resources. A Conduct and Performance Improvement Plan may be modified, as needed, to assist the employee in conduct improvement. A Conduct and Performance Improvement Plan is to be placed in the employee's personnel file. An employee who fails to satisfactorily complete a Conduct and Performance Improvement Plan is subject to termination from employment for such failure and for the conduct precipitating the improvement plan.

Disciplinary Action: Suspension Without Pay

An at-will employee may be suspended without pay to discipline the employee for engaging in conduct that fails to conform to the College's standards of conduct for employees. This disciplinary action may be taken to impress upon an employee the serious nature of the employee's non-conforming conduct. An employee should consider this disciplinary action as a notice that the employee is facing possible termination if his/her conduct does not immediately improve. The supervisor will consult the department head and the Director of Human Resources before administering this disciplinary action. A suspension without pay shall not exceed 10 business days. Suspension without pay of an employee employed under a letter of appointment shall conform to the notice and hearing provisions of Policy 4118: Provision of Letter of Appointment: Faculty, Administrative, or Executive Employees. In addition to this disciplinary action, an employee may be issued a Written Reprimand and the employee placed on an Improvement Plan.

Disciplinary Action: Termination

An employee may be recommended for termination for disciplinary reasons, based on documented acts or omissions. Prior to recommending termination of an employee for disciplinary reasons, the employee's immediate supervisor and any other appropriate administrator will meet with the employee to inform the employee of the reason(s) the employee is being recommended for termination. The employee may attend the meeting and respond to the reasons or the employee may submit a written response in lieu of attending the pre-termination meeting. This is not a due process hearing.

The President shall receive the recommendation for termination and shall review the disciplinary action to determine whether additional information needs to be presented and if the disciplinary action is an appropriate management response to the employee conduct. The President may modify, approve or disapprove such action. The decision of the President shall be final on all such action. A copy of the decision shall be delivered by the Office of the President to the employee. The final action shall be placed in the employee's personnel file.

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Administrative/Executive and Faculty Employed under a Letter of Appointment

Termination of an employee employed under a letter of appointment shall conform to Policy 4118: Provision of Letter of Appointment: Faculty, Administrative, or Executive Employees.

This policy is only a guide and is not intended to require progressive discipline procedure prior to recommending termination of an employee for disciplinary or other legitimate reasons. Nothing in this policy is intended to prohibit administrative suspension with pay of an employee.

Suspension With Pay

An employee may be suspended with pay pending investigation of allegations of the employee engaging in conduct that fails to conform to the College's standards of conduct for employees. Suspension pending investigation is considered when:

- a. an employee's continued attendance in the workplace may hinder the investigation;
- b. the employee's continued attendance presents a risk to the employee or others; or
- c. when the alleged actions interfere with the mandate of the College, either by damage to reputation or otherwise.

The supervisor will consult the department head and the Director of Human Resources before administering this action. The department head may suspend the employee with pay for up to 30 calendar days. The department head may extend the suspension for an additional 30 calendar days if further investigation is necessary. The total period of suspension with pay pending investigation may not exceed 60 calendar days.

An employee on suspension pending investigation must be available for in-person interviews throughout the entire suspension period. The employee is responsible for providing current contact information to the Office of Human Resources.

This policy does not preclude an employee from filing a grievance, under Policy 4904 Employee Complaint Procedure, after a disciplinary action, other than termination, becomes final, or from placing a written response in his/her personnel file to any disciplinary action.

This policy is not intended to create any property interest in continued employment.