

### **POSITIVE DISCIPLINE PROCEDURES**

The purpose of a discipline procedure is to provide a means of correction for on-the-job related behavior problems. The discipline procedure shall apply to all employees, except new employees on a probationary period following hiring. The discipline procedure shall consist of three levels: Level 1: Verbal Notice, Level 2: Written Notice, and Level 3: Suspension or Recommendation for Termination. A disciplinary action may begin on any level based upon the severity of the offense(s). Additionally, Employment Probation may be initiated as a result of a Level II or III offense in accordance with Employment Probation Policy (Code 4104).

All employees must maintain certain standards of performance and conduct. Generally these standards are recognized and observed by individual employees without any need for action by the supervisor. If an employee does not observe these standards, corrective direction by the supervisor should result in the employee doing so in the future. In the event an employee does not respond to the supervisor's corrective direction, more formal discipline may be necessary.

Positive discipline is intended to assist an employee in improving his/her behavior. These procedures involve interaction between the employee and the supervisor to resolve employee deficiencies. The process not only requires employee commitment to improve, but also a commitment by the supervisor to assist the employee in improving his/her behavior. Such supervisor commitment may include more frequent interaction between the employee and supervisor, additional training or course work, peer tutoring, counseling sessions and other activities which lead to improved behavior.

The College reserves and maintains the absolute right to terminate an employee for just cause. Positive Discipline shall not be a prerequisite for the College to exercise its right to terminate an employee for just cause.

The examples of offenses identified are not inclusive of all offenses which may warrant discipline, suspensions, or termination. These lists are intended to identify the types of offenses and the range and severity of offenses between each level.

**LEVEL 1: VERBAL NOTICE**

A verbal notice is a one-on-one discussion between the employee and the immediate supervisor identifying the employee's unsatisfactory behavior.

**Guidelines for Level 1:** The verbal notice shall identify the condition(s) of any work problem(s), any expected improvement in the employee's behavior, and any assistance the supervisor plans to give the employee in correcting the behavior. The supervisor will inform the employee that this is the first level of the formal positive discipline procedure. For purposes of documenting the verbal notice discussion, the immediate supervisor shall complete a Verbal Notice Form for his/her files.

The following examples are representative but not all-inclusive of the conditions or behavior problems that could result in a verbal notice.

- \* Tardiness
- \* Unauthorized absence from job or work area
- \* Foul and abusive language
- \* Inefficiency or negligence
- \* Failure to abide by departmental rules and guidelines

**LEVEL 2: WRITTEN NOTICE**

For certain conditions or behavior, a more formal notification process may be warranted in the form of a written notice. This level may be utilized without having first given a Level I notice.

**Guidelines for Level 2:** The immediate supervisor shall complete a Written Notice form. The Written Notice shall include a statement of the reason for the discipline and the consequences of continued infraction, any commitment on the employee's part to correct the behavior, any assistance the supervisor plans to give the employee in correcting the behavior, and any follow-up actions to be taken. The supervisor shall remind the employee that this is the second level of the formal positive discipline procedure. The employee shall acknowledge he/she received a copy of the Written Notice form by signing the form.

A copy of the written notice shall be placed in the employee's personnel file in the Human Resources Office. The employee shall have the opportunity to provide a written response to the written notice within 21 calendar days of signing the written notice form. Any such response shall be provided to the Human Resources Office with a copy to the supervisor. The response will be attached to the written notice in the Human Resources Office.

The following examples are representative but not all-inclusive of the conditions or behavior that could result in a written notice.

- \* Careless use of College property
- \* Two days of absence without notification
- \* Carelessness in carrying out assigned duties
- \* Repeated Level 1 notices
- \* Failure to abide by College policy and procedures

A Level 2 violation may result in employment probation as provided in Code 4104 and 4104.a.

### **LEVEL 3: SUSPENSION OR RECOMMENDATION FOR TERMINATION**

Termination may be warranted without a record of prior offenses for serious employee actions which are criminal in nature or threatening to other employees and/or students. Suspension may be warranted for less serious offenses which continue to occur after Level 1 and/or Level 2 steps have been followed. In these instances, suspension is appropriate only after verbal and/or written notices have been issued and when the administrative officer feels that the employee is sincere and capable of correcting his/her behavior. A suspension can lead to a recommendation for termination, but need not precede a recommendation for termination.

The immediate supervisor and/or administrative officer shall make a recommendation for termination for review by the Director of Human Resources for consideration by the President who shall make the final determination for termination. Written Notices and Notices of Disciplinary Suspension may be included as evidence for the recommendation for dismissal.

**Guidelines for Level 3:** The immediate supervisor shall complete a Notice of Disciplinary Suspension form to be approved and signed by the administrative officer and the Director of Human Resources. The form shall include the duration of the suspension, the reason for suspension, conditions under which the employee can return to work and any assistance the supervisor or administrative officer plans to give the employee in correcting the behavior. The supervisor and the administrative officer shall conduct a disciplinary interview with the employee and a representative from the employee's group (optional at the employee's discretion) for suspensions. The interview will verbally re-enforce the Notice of Disciplinary Suspension. The employee shall acknowledge he/she received a copy of the Notice of Disciplinary Suspension form by signing the completed form to be turned in to the Human Resources Office. If circumstances warrant that the employee be suspended immediately, the Notice of Disciplinary Suspension may be completed and mailed to the employee for signature.

Suspensions may be with pay or without pay at the discretion of the administrative officer and the Human Resources Director. Suspensions can range from the rest of the day to a few weeks, but rarely exceed thirty (30) calendar days. The administrative officer shall identify, in writing, the conditions upon which the employee may return to work.

An employee returning to work from a suspension will automatically be placed on employment probation as provided in Code 4104 and 4104.a.

The President will be informed of all action taken under Level 3.

The following examples are representative but not all-inclusive of the conditions or behavior that could result in immediate suspension.

- \* Intoxication or drug use
- \* Refusal to work (excluding an organized labor action)
- \* Failure to secure property as required
- \* Failure to make satisfactory improvement during an employment probationary period

## **DOCUMENTATION**

Supervisors will retain Verbal Notice forms, which are records of discussions with employees, in their files. Written Notices and Notices of Disciplinary Suspension shall be retained in the employee's personnel file in the Human Resources Office.

Written notices and Suspension notices shall remain active in an employee's personnel file based upon the following schedule:

Written Notices - 12 months from date of issuance provided no additional written notices have been filed during the 12 month period.

Notice of Disciplinary Suspension - 24 months from the date of issuance provided no additional notices have been filed during the 24 month period.

Documentation shall be deactivated in an employee's personnel file based upon the following procedures:

Written Notices - At the end of the 12-month active time period as defined above, the Human Resources Office shall notify the supervisor and employee of the inactive status of the Written Notice. The Human Resources Office will remove the Written Notice from the employee's personnel file. The Human Resources Office shall provide a written notification to the employee to confirm the inactive status of the Written Notice.

Suspension - At the end of the 24-month active time period as defined above, the Human Resources Office shall notify the supervisor and employee of the inactive status of the suspension. The Human Resources Office will remove the Notice of Disciplinary Suspension from the employee's personnel file. The Human Resources Office shall provide a written notification to the employee to confirm the inactive status of the suspension.

All disciplinary documentation which has been deactivated will be removed from the employee's personnel file and will be retained in a general file in the Human Resources Office. These records will not be used to institute future personnel action.

Employees may request copies of specific documents maintained in their personnel file and may document any meetings or activities relative to a positive discipline action.

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