

EMPLOYEE PROGRESSIVE DISCIPLINE

Related Board of Trustees Policy: BP 2.9

OPR: Vice President for Administration

Approval: May 2012

Revision: March 13, 2018

EMPLOYEE PROGRESSIVE DISCIPLINE

This procedure describes progressive steps available to supervisors when considering disciplinary action for an employee. Disciplinary actions should be delivered consistently when dealing with similar conduct and/or performance related issues. Assistance is available to all supervisors through Human Resources.

Progressive Discipline Framework

Supervisors are responsible for ensuring that discipline is not arbitrary, capricious, unreasonable or discriminatory and is imposed within the following framework:

- Employees know (or should know) in advance the risks for infractions of College policies, procedures, departmental expectations and work rules;
- Departmental expectations and work rules are reasonable and related to the orderly, efficient and safe operation of the department;
- Discipline is consistently applied;
- Discipline severity is appropriately progressive;
- Discipline is corrective rather than punitive; and
- Discipline is timely.

Determination of Disciplinary Measures

The type of discipline administered should depend on the severity of the infraction. Egregious offenses, such as stealing, sexual misconduct or falsification of records, may justify dismissal without necessity of prior warnings or attempts at corrective discipline. Supervisors should also consider previous related offenses. Less serious infractions generally call for a progressive form of discipline. Supervisors may consult Human Resources as needed to discuss and select suitable disciplinary measures.

It is the supervisor's responsibility to:

- Evaluate the circumstances and facts;
- Seek guidance as needed;
- Select the most suitable level of progressive discipline; and
- Apply discipline fairly and objectively.

Progressive Discipline Actions

The levels of progressive discipline generally are:

Counseling

Counseling is typically given to an employee by the immediate supervisor as the first step to correct minor conduct or performance deficiencies. The purpose of counseling is to afford an employee the opportunity to correct a deficiency and avert any need of more formal discipline. Counseling may be verbal or be noted in a written memo. No information is placed in the employee's personnel file. Any record of the counseling remains with the supervisor or in departmental employee performance management records. Should an employee's conduct or work continue to be unsatisfactory, prior counseling should be noted in the documentation during subsequent disciplinary steps.

Verbal Warning

A Verbal Warning may be given to address performance and conduct concerns more serious than those warranting counseling, or for issues where counseling has been previously given. A Verbal Warning is given in person to an employee and is accompanied by a Notice of Disciplinary Action form. A Performance Improvement Plan (PIP) form prepared by the supervisor may also be used to create and document a plan for improving job performance with periodic reviews of progress. No information is placed in the employee's personnel file. Verbal warning documentation remains with the supervisor or in departmental employee performance management records. Should an employee's conduct or performance continue to be unsatisfactory, prior counseling or verbal warnings should be noted in the documentation during subsequent disciplinary steps.

Written Warning

A Written Warning may be given to address substantial performance and conduct concerns that are more serious than those warranting a verbal warning or counseling, or for issues where lesser measures have been previously given. A Written Warning is given in person to an employee and is accompanied by a Notice of Disciplinary Action form. A Performance Improvement Plan (PIP) form prepared by the supervisor may also be used to create and document a plan for improving job performance with periodic reviews of progress. Written Warnings are placed in the employee's personnel file.

Final Warning

A Final Warning may be issued for the first occurrence of a very serious offense(s) or may be issued for repeated lesser offenses which have been identified by the immediate supervisor and not corrected by the employee despite previous disciplinary action(s). A Final Warning is given in person to an employee and is accompanied by a Notice of Disciplinary Action form. A Performance Improvement Plan (PIP) form prepared by the supervisor may also be used to create and document a plan for improving job performance with periodic reviews of progress. Final Warnings are placed in the employee's personnel file.

- The final warning is considered a last chance. If an employee does not achieve improvement in conduct and/or performance, dismissal will normally be the next action taken.
- The unit Vice President and the Executive Director of Human Resources (or designee) must review a final written warning prior to it being issued to the employee.

Suspension

A suspension, with or without pay, may be imposed by the President of the College in conjunction with a Final Warning to strongly impress upon an employee the seriousness of the performance or conduct infraction or deficiency. Documentation of suspensions and related actions are placed in the employee's personnel file.

- After consultation with Human Resources, the employee's unit Vice President will recommend suspension to the President of the College. The President will determine the duration of the suspension and whether the suspension is to be with or without pay.
- Suspensions, with or without pay, are documented on the Notice of Disciplinary Action form.
- The President of the College may require a Probationary period as a condition of the employee's return from suspension. A performance evaluation will be completed at the end of this period, and a determination will be made at that time whether to offer continued employment.

During an incident investigation involving an employee's conduct, the President of the College may determine that the subject employee's continued presence in the work place is not in the best interest of the College. In this case, the employee may be suspended with pay until the investigation is complete.

Job Reassignment and Demotions

An involuntary job reassignment or demotion may be offered to an employee, in lieu of dismissal, as a method of addressing significant employee conduct and/or performance matters.

- Involuntary reassignments and demotions must be reviewed by the Executive Director of Human Resources (or designee), recommended by the unit Vice President, and approved by the President of the College.
- The offer will be presented to the employee in a letter from the President of the College. The letter will include:

- Notice that if the employee declines the reassignment and/or demotion offer, dismissal action will be initiated immediately.
- The salary, work conditions (including FLSA status), and job performance requirements applicable to the offered position.
- Notice that employee will be placed in “Probationary Employment” status for a period determined by the President of the College. A performance evaluation will be completed at the end of this period, and a determination will be made at that time whether to offer continued employment.

Dismissal

Dismissal is the most severe and final step of employee discipline. An employee may be dismissed when prior disciplinary actions fail to bring about the required improvement in employee performance or conduct. An employee may also be dismissed, without prior disciplinary steps, for severe violation of actions prohibited by the College, including, but not limited to, those listed in Board Policy 2.9.

- After consultation with Human Resources, the employee’s unit Vice President will recommend a dismissal to the President of the College. The President of the College must approve all dismissal actions.
- The dismissal is documented on the Notice of Disciplinary Action form and is presented in person, if possible, to the employee.

Right to Appeal

Employees may appeal any disciplinary action taken against them, in accordance with Board Policy 2.13.

[Return to Table of Contents](#)