

### **3354:1-43-03.01 Corrective Action Procedure**

- (A) This procedure applies to all full- and part-time employees unless specifically excluded or limited by the explicit provisions of a collective bargaining agreement.
- (B) Should an employee's performance, work habits or behavior become unsatisfactory in the judgment of the College, based on a violation of accepted standards of conduct or College policies, procedures, rules or regulations, that employee will be subject to corrective action, up to and including dismissal. Unacceptable conduct includes, without limitation, incompetence, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty or failure of good behavior. Supervisors shall actively manage performance and take corrective steps when appropriate.
- (1) If you suspect that an employee is under the influence of alcohol or in possession of a controlled substance, immediately report it to that employee's supervisor or to College administration. The employee's supervisor or College administration will contact the Office of Human Resources.
  - (2) If an employee witnesses another employee violating the Employee Code of Conduct, they must immediately report it to the employee's supervisor or to College administration.
  - (3) If a complaint is made by an employee and brought to the attention of that employee's supervisor or to College administration, it must be reported to the Office of Human Resources. If there is an allegation of a violation of the employee code of conduct which also alleges a violation of the College policy on discrimination, harassment, sexual misconduct, retaliation and Title IX, the Office of Institutional Equity will conduct a concurrent investigation. The results of both investigations will be made available to the Office of Human Resources for appropriate follow up. If the allegations are unsubstantiated or if no corrective action is required, a notation is made in the Office of Human Resources digital file. The employee's digital file is not part of the employee's personnel file but can be referenced in the event of any future discipline to show pattern, habit or routine. If corrective action is required, proceed with the appropriate corrective action steps.
- (C) The College reserves the right to initiate corrective action at any of the following steps should an offense or performance issue be determined by the College to be sufficiently serious. Otherwise, the progressive corrective action approach utilized by the College will consist of the following steps:

(1) Verbal Counseling

- (a) Verbal counseling is provided by the supervisor in a meeting in which the employee is informed of the specific issue and what is expected of him or her in the future. A formal record of the discussion will be maintained in the Office of Human Resources' personnel file.

(2) Written Reprimand

- (a) The supervisor will issue a written reprimand and/or exception report. The written reprimand and/or exception report will become a part of the employee's personnel file. Supervisors must consult with the Office of Human Resources prior to the issuance of a written reprimand or exception report. If an employee is covered by one of the College's collective bargaining agreements, a copy of the written reprimand and/or exception report will be forwarded to the appropriate union official by the Office of Human Resources.

(3) Suspension/Probationary Status

- (a) An employee may be placed on probationary status or be suspended with or without pay for a specified number of days based upon documentation provided by the employee's supervisor. A pre-disciplinary due process meeting will be conducted by the Vice President of Human Resources or the Vice President's designee with the employee prior to the initiation of probationary status or suspension. All recommendations for probations and suspensions must be approved by the Vice President of Human Resources or the Vice President's designee prior to implementation. The employee will receive written notification of the probation or suspension. If the employee is a member of a collective bargaining unit, he or she will have the opportunity to have a union representative at any meeting with the employee regarding the suspension.
  - (i) Probationary status shall include one or more of the following selected by the Vice President of Human Resources: performance improvement plan, last chance agreement or fitness for duty.
  - (ii) Unsuccessful completion of any of the above will result in a recommendation for discharge under section 4. Discharge.

(iii) Continued unsatisfactory performance shall also result in a recommendation for discharge under section 4. Discharge.

(4) Discharge

(a) An employee may be discharged. A pre-disciplinary due process meeting will be conducted by the Vice President of Human Resources or the Vice President's designee with the employee prior to the issuance of a termination notice. All recommendations for discharge must be approved by the Vice President of Human Resources and Vice President of Legal Services prior to discharge and communication to the employee. The employee will receive written notification of the discharge. If the employee is part of a collective bargaining unit, he or she will have the opportunity to have a union representative at any meeting with the employee regarding the termination action.

(D) The President or President's designee shall take all steps necessary and appropriate for the effective implementation of this procedure.

Effective Date: May 3, 2021

Procedure amplifies 3354:1-43-03