

POLICY: HR13 – Discipline

APPROVAL DATE: 05/21/2019

REVISION DATE: 09/20/2022

Purpose

To set forth the District's policies for progressive discipline.

Scope

Applies to all District employees

Ideally, coaching and counseling will be used to address issues with performance or behavior prior to moving to disciplinary action.

Employees should be mindful that disciplinary action in any individual situation will depend on the specific facts presented; therefore, no outcome is guaranteed or assured by this policy.

This policy should not be construed as preventing, limiting, or delaying the District from taking the level of disciplinary action it deems appropriate.

Level 1 Disciplinary Notice

A Level 1 Disciplinary Notice may be issued by a supervisor or by Human Resources in order to address minor and/or ongoing work performance or behavior issues.

A written record will be provided to the employee, the supervisor and a copy will be placed in the employee's personnel file.

Level 2 Disciplinary Notice

For more serious work performance and behavior issues, or repeated issues, a Level 2 Disciplinary Notice may be given. This document will be written and delivered by the Human Resources Director, in collaboration with the direct supervisor.

A copy of the document will be given to the employee and the supervisor and the original placed in the employee's personnel file. The employee may write a statement in response to this notice and have it placed in their personnel file.

Pre-Disciplinary Hearing

Prior to a final determination to suspend or terminate an employee, a hearing will be held with the employee, the Human Resources Director and the Executive Director. This hearing serves as a check against mistaken decisions and provides an opportunity for an employee to furnish additional information before a final decision regarding discipline is made.

At least two business days prior to the hearing, the Human Resources Director will provide the employee with notice that the District is considering disciplinary action, the reasons for the proposed action, and the date and time for the employee to meet with the Human Resources Director.

Suspension

This may be used when the employee has been engaging in a pattern of poor performance or undesirable behavior, and prior coaching and/or discipline have failed to correct the behavior or

performance issue or when the misconduct rises to such a level of seriousness that suspension is warranted.

The Executive Director has sole authority to suspend an employee.

If, following the hearing, the intent to suspend is sustained, the employee will be relieved of their job assignment and placed in Leave without Pay (LWOP) status for a specified time. The length of suspension may vary depending on the nature and severity of the offending behavior.

FLSA exempt employees shall not be suspended without pay for disciplinary purposes for periods of less than a full workweek, unless the infraction involves violation of safety rules of major significance.

A copy of the notice of suspension and all supporting documents will be given to the employee, the supervisor and the original placed in the employee's personnel file. The employee may write a statement in response to this notice and have it placed in their personnel file.

Termination

This may be used when other disciplinary actions(s) have failed to correct the undesirable behavior or performance, or when the seriousness of the offense warrants such action.

The Executive Director has sole authority to terminate an employee.

If, following the hearing, the intent to dismiss is sustained, the notice and all supporting documentation will be given to the employee and the supervisor and the original placed in the employee's personnel file.

The Executive Director will establish administrative procedures necessary to implement this policy. Any appeal of an administrative action under this policy will first be made in writing to the Executive Director and then to the Board of Trustees.

The District will make a good faith effort to implement this policy in a fair and consistent manner.