

Effective Date	11/10/2021
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1.0 PURPOSE

In accordance with Board Policy 6.10 Employee Conduct and Discipline, the purpose of this procedure is to set forth the guidelines and procedures regarding employee conduct and discipline.

2.0 REVISION HISTORY

Adopted on: 4/2/14

Revised on: 3/16/2021, 11/10/21

Policy 4131 was subsumed hereunder on the effective date of this policy.

3.0 PERSONS AFFECTED

All employees are subject to the employee conduct provisions.

4.0 DEFINITIONS

- A. *Misconduct* – Conduct or behavior including, but not limited to: conduct which violates federal, state, or local law; conduct that violates LCCC policy, procedure, rules, directions or guidelines. The use of, or demonstrating the effects of the use of alcohol or illegal drugs/narcotics in the course of performing assigned duties; participation in activities which interfere with the normal operation of LCCC; activities or conduct which may endanger the health or safety of self,

- C. *Insubordination* – An employee’s refusal to obey a reasonable, proper direct order, including under certain circumstances even a single instance thereof.
- D. *Neglect of Duty* – An employee’s failure to satisfactorily perform one or more duties properly assigned to them.
- E. *For Cause* – Reasons for which an employee may be terminated including, but not limited to misconduct, incompetency, insubordination, neglect of duty, unsatisfactory performance, and/or failure to meet the terms of the employment contract as a direct result of employee actions.

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- c. Documentation of a verbal warning shall permanently remain in an employee's personnel file. An employee has the right to provide a written response to a verbal warning that will also be placed in an employee's personnel file. Further, the employee's supervisor will write a memorandum after three (3) months denoting an employee's improvement or progress in the area of the original verbal warning. This memo will also become part of the employee's permanent record.

2) Written Warning

A written warning involves a more formal documentation of performance, conduct issues, and consequences.

- a. As soon as reasonably possible, the immediate supervisor and administrator over the employee's work will meet with the employee and discuss the nature of the performance or conduct issue or violation of LCCC policy or procedure, communicate expectations for remedying the situation and outline consequences to the employee of their continued failure to meet performance or conduct expectations. The immediate supervisor and administrator will also review any prior relevant corrective action plans with the employee.
- b. A written disciplinary action requiring the employee's immediate and sustained corrective action will be issued within five (5) business days of the meeting. The written disciplinary action may include notification to the employee that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken.
- c. Written documentation of the written warning will be delivered to the employee who will be asked to sign copies of the documentation acknowledging the receipt and understanding of the corrective action outlined in the documents.
- d. Copies of the documents, including the written disciplinary action and any employee response, will be forwarded to the Human Resources office to be placed in the employee's personnel file.

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- b. An employee may be placed on suspension with or without pay consistent with federal, state and local wage-and-hour employment law.
- c. The Human Resources department will provide guidance so that the discipline is administered without jeopardizing the Fair Labor Standards Act (FLSA) exemption status.

C. Termination of Employment

N g i n a t i o n n i s 0 . 0 0 6

- 1) If corrective and/or discipline actions are unsuccessful, or the problem or violation is so severe that corrective action is inappropriate or impractical, a supervisor may recommend termination of the employee from employment.
- 2) The supervisor must inform the Human Resources department and their immediate supervisor of the termination recommendation. The supervisor shall also provide written documentation outlining the basis for the termination.
- 3) The College will give written notice either by electronic means or via United States Mail to the employee of the recommended termination, reasons for the recommended termination and the projected termination date. However, in no event shall the projected termination date be earlier than forty-eight hours from the date of the notice.
- 4) Notice is effective on the date the written documentation is sent. From the effective date of the notice of recommended termination until a written termination decision is sent, the employee shall be suspended in 2 (l)-3..5 (e)10.9 ((.5 (e)10)ro2.9 (h)d0.7 (a)-3.3 (l)-0.7 (d)((.5 (e)0.021 Tw T(th

1) Level 1 – Reviewing Supervisor

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
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Originator(s) Name(s)