

**Cochise College
District Board Policy**

Category: All Employee Groups

Policy Number: 640

Title: Corrective Action

Cochise College recognizes its responsibility to communicate to employees the expectations of appropriate job related behavior and work performance. To do so, the College recognizes the need to implement a Corrective Action process. Corrective Action is an approach to solving discipline and/or performance problems, which focuses on correcting the behavior and/or performance. The Corrective Action approach is the recommended practice but is not mandatory. Other actions up to and including Termination (Policy 643) may be administered depending on the nature or severity of the performance or behavior problem.

**Procedure 640.1
Reasons for Corrective Action**

Behavior and/or performance concerns that warrant corrective action and that may warrant termination may include but are not limited to:

1. Fraud in securing appointment
2. Incompetence
3. Inefficiency
4. Improper attitude
5. Neglect of duty
6. Insubordination/failure to follow College policies or supervisory directives
7. Pattern of absenteeism, tardiness, leaving early, absence without permission
8. Unproductive use of work time
9. Dishonesty or theft
10. Violation of the College's Drug and Alcohol Policy
11. Failure to maintain required skills and/or updated skills, proficiencies, credentials, certifications or licenses as required by the position
12. Failure to meet and maintain required performance standards
13. Conviction of a felony or misdemeanor or behavior involving moral turpitude which adversely reflects on the College or affects the employee's suitability for continued employment
14. Discourteous treatment of the public
15. Misuse or abuse of College property
16. Falsification of any public document, including the employment application
17. Misuse or unauthorized use of College funds or property
18. Conduct/behavior which risk the safety or health of persons in the working environment or risk damage to property
19. Violation of the College's Civil Rights Policies including EEO, ADA, Sexual Harassment

20. Acts inconsistent with the relationship of employer and employee or incompatible with the due and faithful performance of the employee's duties

Procedure 640.2 **Types of Corrective Action**

In order to provide a framework that will allow consistency and maximize an employee's opportunities to improve performance or behavior, the following types of corrective actions are established:

1. Informal Counseling Session
2. Written Reprimand or Letter of Warning
3. Suspension Without Pay
4. Decision Making Leave
5. Reassignment (including Demotion)
6. Termination

The type of disciplinary action taken will depend upon the nature and severity of the offense. The Associate Vice President for Human Resources is available to assist supervisors and managers in the corrective action process.

1. Informal Counseling Session

When the supervisor becomes aware of a problem with an employee, the seriousness and immediacy of the problem should dictate what action the supervisor should take. An informal approach to Corrective Action is the informal counseling session. This session should include the following elements:

- a. An identification of the problem(s) that must be addressed pertaining to the employee's conduct or performance.
- b. A specific measure of acceptable levels of performance or behavior that must be achieved.
- c. The assurance of the employee that the counseling session will not be recorded in the employee's official personnel file, but will be maintained in the supervisor's file with the stipulation that if improvement is not noted, the next session will involve a written reprimand which will become part of the permanent employee personnel file.

Informal counseling sessions are not subject to grievance through the Administrative Review/Grievance process or appeal through the Appeals process established in Policy.

2. Written Reprimand and Letter of Warning

Documentation in the form of a Written Reprimand or Letter of Warning may be issued to an employee during a formal conference between a supervisor and subordinate concerning a discipline or performance problem.

- a. The meeting should cover the types of elements addressed in an informal counseling session, except that the tone is more formal, and the employee must be made aware that continued lack of improvement may result in further corrective action up to and including termination.
- b. The written documentation must: describe the action as a reprimand or warning, describe the consequences if behavior/performance is not corrected, and inform the employee that it will become a permanent part of the employee's personnel file.
- c. The employee should be asked to sign the documentation, signifying that it was received. If the employee refuses to sign the document, the supervisor shall obtain the signature of a witness to substantiate that the employee received a copy of the documentation. The original of the memorandum should be sent in a confidential envelope to the Human Resources Office, and a copy given to the employee.

Written Reprimands and Letters of Warning may be reviewed through the Administrative Review/Grievance process.

3. Suspension

An employee may be suspended without pay for a period of up to five days. A suspension shall be documented as specified in the section on written reprimands, with the original document of suspension placed in the employee's personnel file and a copy given to the employee.

The decision to suspend an employee must be approved by the appropriate Dean or Vice President and the Associate Vice President for Human Resources. Suspensions without pay are subject to appeal pursuant to the appeals process set out in Policy 643. Suspensions without pay shall not become final until approved by the Governing Board.

4. Decision Making Leave

If the inadequacies that resulted in a written reprimand and/or suspension have not been corrected within thirty to sixty days of the reprimand or suspension, the supervisor may exercise the use of a decision-making leave. A decision-making leave must be approved by the appropriate Dean, Vice President and the Associate Vice President for Human Resources.

- a. The employee is called into a formal discussion about the continuing unacceptable level of performance or conduct.

- b. The employee is asked to give some serious thought to whether or not he or she wishes to remain employed at Cochise College. The employee should be reminded that all the previous steps taken in this process have not been productive, and that the employee must commit to immediate and meaningful change if he or she wishes to remain employed with the College.
- c. The employee is sent home with pay for 24 hours in order to evaluate his/her future with the College.
- d. The employee should be informed that if he or she does not return from the decision-making leave, the departure will be recorded as a voluntary resignation.
- e. The supervisor documents the formal employee meeting and the decision-making leave in a memorandum, gives copies to the employee and the Dean or Department Director, and sends the memorandum to the Human Resources office for inclusion in the employee's personnel file.

There is no right to grieve or appeal a decision-making leave.

5. Reassignment (including Demotion)

- a. An employee may be reassigned to duties other than his/her regular position or may be relieved of some or all of the duties of that position by his or her supervisory administrator. Such reassignment may result in movement from a higher salary grade to a lower salary grade and reduction in pay, depending on the nature and severity of the performance and/or behavior problem.
- b. The College is not obligated to consider reassignment or demotion, and such decision shall be based solely on the College's operational needs.
- c. Reassignment shall be documented with the original document of reassignment of duties placed in the employee's personnel file in the Human Resources Office and a copy given to the employee.
- d. If the reassignment includes demotion, the demotion shall not become final until approved by the Governing Board. The Governing Board shall review the demotion and take such action as it deems appropriate. The employee shall be provided written notice of the Governing Board's decision.

Reassignments that are not demotions and do not result in loss of pay, status or other benefits may be reviewed through the Administrative Review/Grievance process.

Demotions may be appealed pursuant to the Appeals process outlined in Policy 643.

6. Termination

Termination is a process of Corrective Action which may be invoked depending upon the nature and severity of the behavior/performance, and may occur without prior corrective action (see Policy 643). An employee may appeal a notice of termination pursuant to Policy 643.