

SECTION: Human Resources NUMBER: A-001-02-0013

AREA: Employment UPDATE: 03/03/2022

SUBJECT: Discipline/Dismissal REVIEWED: 12/13/2022

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I. PURPOSE

Non-Faculty Employees

All employees are expected to meet College standards for work performance, punctuality, attendance, and personal conduct. When an employee fails to conform to proper standards, that person should have, as stated below, notification and an opportunity to correct the deficiency. If performance does not improve, the disciplinary steps set forth in the policy below will be followed.

Faculty

Discipline/dismissal policies for faculty are covered in F-001-01-0005, F-001-01-0010 and F-001-01-0011.

II. POLICY

Good practices, as well as federal and state mandates, such as unemployment compensation laws and affirmative action legislation, dictate the necessity for a procedure covering discipline and dismissal. Disciplinary action should be corrective rather than punitive and a series of actions (progressive discipline) may result in dismissal. The action of discipline or dismissal should never be a surprise to an employee.

A. Definitions

- a. Supervisors will be responsible for informing all employees of standards, policies, and procedures. Violation of any of the following performance standards may result in disciplinary action and/or immediate discharge: (Note: this list is NOT all inclusive.)
 - i. Failure or refusal to follow the written or oral instructions of a supervisor or manager;
 - ii. Insubordination;
 - iii. Neglecting job duties and responsibilities;
 - iv. Engaging in unauthorized personal business during work hours;
 - v. Falsifying or misrepresenting company or employment records;
 - vi. Discourtesy or rudeness in dealing with Rocky Mountain College's employees and/or representatives of our clients or prospects;
 - vii. Failure to give proper notice when unable to report for or continue work as scheduled;
 - viii. Unexcused or excessive absenteeism;

- ix. Theft, abuse, or misuse of Rocky Mountain College's property, materials, or supplies;
 - x. Unauthorized use of Rocky Mountain College's property and equipment;
 - xi. Threatening, harassing, or inflicting bodily harm on fellow employees or others at any time while on the job;
 - xii. Making false and malicious statements concerning employees or the College;
 - xiii. Intentionally discriminating against employees in violation of applicable laws and/or engaging in harassment of any employee;
 - xiv. Possession use, purchase, consumption, transfer or sale of alcoholic beverages, controlled substances or illegal drugs at any time during working hours, on Rocky Mountain College's premises or job site, or while representing Rocky Mountain College, or reporting to work under the influence of alcohol, controlled substances, or illegal drugs;
 - xv. Violation of College Safety Rules and Policy; and
 - xvi. Violating any Rocky Mountain College's policies, rules, regulations, or practices.
- b. Consistent standards must apply to all employees.
 - c. Appropriate corrective action will be taken in accordance with the procedures outlined below, except for new employees covered by the "probationary employee" policy.
 - d. The Human Resource Department should be consulted as soon as possible on all problem situations.

B. Documentation

- a. Documentation serves as a guide to develop and improve employee performance.
- b. It gives supervisors the opportunity to make employees aware of the positive and negative impact of their actions.
- c. Documentation must be objective, specified, detailed, and chronological.
- d. Evaluations must contain statements of fact.
- e. When performance is the issue, statements, places, dates, and time reflecting the problem should be recorded.

C. Disciplinary action is considered a dimension of performance evaluation. It is a corrective process to help employees overcome work-related shortcomings, strengthen work performance and achieve success.

D. Disciplinary Action

- a. Initial disciplinary action should be in the form of an oral discussion and warning. Proper notation should be made that a verbal warning was issued, regarding what issue and what date. A copy of the warning shall be given to the employee and placed in the Human Resources file.

- b. If no improvement is noted, a formal written warning shall be issued. The formal written notice must be discussed with the individual being disciplined. The individual should sign at the bottom of the formal written warning indicating that the discussion has taken place. If the employee refused to sign the statement, it should be noted at the bottom of the page. The supervisor should also sign the formal written warning and submit a copy to the Human Resource Department. The employee may also respond in writing submitting a copy to their supervisor and the Human Resource Department.
 - i. Formal Written Warning should include:
 - 1. Stated offenses giving date and times
 - 2. Previous verbal warnings
 - 3. Any coaching or mentoring
 - 4. Expectations for improvement
 - 5. Consequences for lack of improvement
- c. Another option in the discipline/dismissal process is suspension without pay. An employee may be required to remain off the job in a non-pay status for a specified period of time for disciplinary purposes, following oral and written warnings and, without warning, for more serious initial offenses. Immediate suspension may be ordered when circumstances make attendance at work dangerous to the employee or others, when an investigation is needed, or when circumstances seriously impair the employee's effectiveness on the job. If circumstances require an immediate suspension, it may verbally issue after consultation with the Human Resource Department and written notice must follow as soon as possible. Suspensions without pay are subject to an immediate right of appeal using the grievance process.
- d. Dismissal of a non-faculty staff member shall be on recommendation of the appropriate supervisor. A staff member may be dismissed summarily for major cause. Before dismissal occurs, however, the supervisor will not take action without the prior approval of the Division Head and the Human Resource Department. **When notice of dismissal is given to a staff member, it shall be effective immediately.**
- e. Fairness and consistency require that certain general principles of administering discipline be followed by all supervisors and that the Human Resource Department coordinate the discipline of College employees. The Chief Human Resources Officer is available to discuss what the appropriate course of action in a particular case (see also grievance policy A-001-02-0008).
- f. In dismissal cases, the Human Resource Department shall then calculate the final paycheck and have it ready for the supervisor to give to the employee.
- g. The supervisor shall have the employee meet with the Human Resource Department for an Exit Interview.

III. REVIEW AND RESPONSIBILITIES

Responsible Parties: Human Resource Department

Review: As deemed as appropriate

IV. APPROVAL

Approved: _____ Date: _____
President

Approved: _____ Date: _____
Chair / Board of Trustees