

3357:13-16-311 Corrective Action Process

(A) General work requirements - There are work requirements that all staff members are expected to meet. These include the following and those additional requirements that may be subsequently adopted by the College.

(B) Staff members shall:

- (1) Satisfy their individual job accountabilities and comply with policies and procedures relevant to their jobs.
- (2) Cooperate with managers/supervisors, and other staff members, including faculty and administration.
- (3) Observe and comply with the policies and mission of the College.
- (4) Work as scheduled and notify managers/supervisors reasonably in advance, if possible, of any unavoidable absences from work.
- (5) Properly use and maintain the College's equipment and materials.

(C) Conduct requirements - These are standards of behavior, the violation of which by a staff member, will most likely result in suspension or termination of employment.

A staff member shall not:

- (1) Make any form of threat of physical assault or commit actual physical assault on an employee, student or visitor of the College.
- (2) Be under the influence of using, selling, distribution or possessing alcohol or a controlled substance (e.g., marijuana, narcotics, barbiturates) during working time, whether on or off the premises.
- (3) Commit an act of theft or dishonesty, including breach of College security or confidentiality, falsification of any record, employment application or resume, or the giving of a false excuse for absence from work.
- (4) Be convicted of a felony or any crime involving moral turpitude.
- (5) Commit intentional damage to the property of the College, other employee, or student, or a visitor of the College.
- (6) Carry or otherwise possess a firearm or other deadly weapon on the premises.

- (7) Willfully violate any law, or policy or rule of the College that endangers the safety of any person or property.
 - (8) Refuse to perform work assigned by a supervisor or willfully disobey a reasonable instruction or direction of a manager/supervisor.
 - (9) Deliberately interfere with, delay, or restrict the work of any other employee of the College.
 - (10) Engage in any incident of sexual harassment toward an employee, student, or visitor of the College.
- (D) Corrective Action Process - The corrective action process may be used by managers/supervisors in dealing with staff members who violate a general work requirement or a conduct requirement, or may be accelerated or certain steps eliminated at the discretion of the manager/supervisor.
- (1) Step 1: Verbal Warning - The manager/supervisor will initiate a verbal discussion with the staff member if the situation is a first occurrence and document the discussion by use of a corrective action form.
 - (2) Step 2: First Written Warning - When verbal counseling does not result in the desired improvement, the manager/supervisor will meet with the staff member and advise him/her of the seriousness of the problem. The manager/supervisor will document the warning to the staff member by use of a corrective action form which will include the details of the problem and the action to be taken to correct the problem. A time frame in which to reach the acceptable level of performance may also be included.
 - (3) Step 3: Final Written Warning - If the previous discussions fail to correct the problem, a final written warning will be discussed by the manager/supervisor with the staff member, advising him/her of the seriousness of the problem and documenting the warning by use of a corrective action form. The staff member should be reminded that further corrective action, up to and including suspension or discharge, may occur if the problem continues. The documentation and discussion shall include a review of the previous actions, the continued problem or violation, and a final set of corrective actions.
 - (4) Step 4: Suspension/Discharge - If the staff member (a) fails to meet the objectives established in the final written warning or (b) if other problems or violations by the staff member develop that are of similar nature as those then under consideration, suspension or discharge may be appropriate. The suspension, if ordered, shall be with no pay. Before implementing the decision to suspend or discharge a staff member, the

manager/supervisor must consult with the Director of Human Resources and the President or the Vice President designated by the President.

- (E) Documentation - At the conclusion of any step of the corrective process, a copy of the corrective form shall be given to the staff member and a copy placed in the staff member's personnel file. Refusal of the staff member to sign receipt of the form will be noted by an indication "Refusal to Sign" on the form, initiated by the manager/supervisor and dated.
- (F) Suspension Pending Investigating - Managers/supervisors must determine whether the behavior warrants requesting the staff member to leave the workplace immediately. If an offense requires investigation, the staff member should be placed on investigative suspension with no pay while the offense is investigated. The staff member must be notified of the results of the investigation. A determination will be made on a case-by-case basis as to whether the staff member will recover lost wages following the completion of the investigation.
- (G) Accelerated Process - In deciding to use the corrective action process, or at what step to begin the process, the manager/supervisor will consider (a) the severity of the violation and whether it involves a general work requirement or a conduct requirement, (b) the staff member's past work record and history of corrective action, and (c) the length of time the staff member has been employed by the College.
- (H) Other Provisions:
 - (1) Pay increases, transfers, and/or promotions may be delayed for staff members who have received corrective action until the acceptable level of performance is attained.
 - (2) A staff member who has received a written warning or suspension may not apply for another position at the College in the six (6) month period following such written warning or suspension without the approval of the appropriate manager/supervisor or the Director of Human Resources.
 - (3) In addition to this Corrective Action Policy, all employees at the College are also subject to the College's Discrimination, Harassment, Sexual Misconduct, and Retaliation Policy and accompanying Discrimination Grievance Procedures ("Discrimination and Harassment Policy"), which are separate from this Corrective Action Policy. The College's Discrimination and Harassment Policy covers behaviors related to discrimination, sexual harassment, sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, relationship violence, stalking, and retaliation. In cases where the provisions of this Corrective Action Policy and the provisions in the Discrimination and Harassment Policy are different or inconsistent, the Discrimination and Harassment Policy supersedes. Therefore, all employees are expected to read the

Discrimination and Harassment Policy as well as this Corrective Action Policy to gain a thorough understanding of the expectations and procedures set forth in both policies and the differences between the two. When an employee is found in violation of the Discrimination and Harassment Policy, the Vice President of Business Services or designee is charged with imposing disciplinary sanctions. An employee found in violation of the Discrimination and Harassment Policy does not necessarily preclude an additional finding that the employee has engaged in other prohibited conduct in violation of the Corrective Action Policy or other College policies. Disciplinary records for Discrimination and Harassment Policy violations are maintained in the same manner as other disciplinary records.

Effective: September 27, 2000

Expires: September 1, 2027

Review Dates: 9/27/00, 6/15/03, 5/7/14, 9/29/22