



Progressive Discipline

Progressive Discipline Policy

Approved by and date:

Board of Trustees

06/19/2017

Executive Leadership Team

05/15/2017

Policy:

Kilgore College maintains the right to enforce rules of conduct among its employees and expects each employee to perform his/her work and to conduct him/herself in a manner that brings credit to the College. Therefore, appropriate disciplinary action will be taken for misconduct. (Misconduct is defined as mismanagement of a position of employment by action or inaction, neglect that endangers the life or property of another, intentional wrongdoing or malfeasance, intentional violation of a law, or violation of a policy or rule adopted to ensure the orderly work and the safety of employees or violations of established policy, procedures, or rules.)

Procedures:

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Action by the College will begin with a restorative approach when warranted and may include a progressive series of disciplinary actions that include warnings, suspension, or termination. The College endeavors to use progressive discipline, but reserves the right, depending on the facts and circumstances of any particular case, to forego the progressive options and take necessary remedial or disciplinary action as warranted.

The nature or severity of the offense will determine the first option to be taken:

Option 1-Oral Warning

For less severe misconduct or rule violations, the initial disciplinary action may be an oral warning by the employee's supervisor. The responsible supervisor speaks to the employee to:

- a. Review expected job performance or conduct
- b. Explain specifically how the employee has not met College expectations
- c. Provide an opportunity for the employee to explain his/her actions; and together
- d. Establish a course of action that will correct the job performance or conduct under question

The discussion between the employee and supervisor will be serious and professional in manner to ensure that the employee clearly understands the established standards and expectations with regard to his/her misconduct. The supervisor will maintain a record of the date and content of the oral warning.

Option 2-Written Warning

A written warning may be issued by the supervisor if the misconduct is more severe or frequent in nature or if an oral warning has already been issued and the employee misconduct has not been corrected. The written warning will outline the misconduct, state expectations, and indicate the consequences that will occur if there is no improvement in conduct. Written warnings will be forwarded to the Office of Human Resources for placement in the employee's official personnel file.

Option 3-Performance Improvement Plan

A Performance Improvement Plan (PIP) may be issued by the supervisor when misconduct has occurred and/or job performance is poor. A PIP may be issued when previous oral and/or written warnings and job coaching efforts have failed to result in improvements in performance. The PIP will outline the misconduct, state the corrective measures to be taken (NOTE: corrective actions may include training or retraining elements), the assessment interval and criteria to judge performance, and indicate the consequences that will occur if there is no improvement in conduct. The completed PIP will be forwarded to the Office of Human Resources for placement in the employee's official personnel file. The supervisor will monitor the employee across the designated evaluation period of the PIP. Employment may be terminated at any time should the employee fail to make satisfactory progress on the performance indicators.

Option 4-Suspensions

- a. Disciplinary suspension without pay may follow an oral warning, a written warning, or may be the first disciplinary action taken if warranted by the circumstances. Prior to suspending an employee, supervisors must obtain approval from the appropriate Vice President and the Human Resources Director and supply thorough supporting documentation if any. The duration of the suspension will depend upon the facts of each case. Circumstances that may be considered include, but are not limited to, type and severity of the misconduct, previous work performance of the employee, and prior disciplinary actions. The suspended employee will be notified of the suspension by letter. A copy of the letter will be forwarded to the appropriate Vice President and to the Office of Human Resources for placement in the employee's official personnel file.
- b. Investigative Suspension - In cases of alleged employee misconduct, an employee may be placed on an investigative suspension. In such cases, the employee will be removed from the workplace while the Human Resources Director, in conjunction with the appropriate Vice President, investigates the matter. Investigative suspension is leave with pay. The Human Resources Director and appropriate Vice President must approve an investigative suspension. The employee under investigation will be notified by letter of the suspension with pay, the alleged misconduct, and the college's intent to investigate.

Notice of Intent to Recommend Termination. When justified by the facts and circumstances, the appropriate Vice President and Human Resources Director will recommend termination of an employee to the President in cases where it has been established that an employee has either: 1) engaged in misconduct that reflects a conscious disregard or indifference for the rights or property of others, the policies and rules of the College or state or federal laws; or 2) demonstrated an inability or unwillingness to correct misconduct after previous oral or written warnings. The Human Resources Director will provide written notice to the employee that the President intends to recommend termination of employment to the Board of Trustees which will include reasonable notice of the proposed action and the grounds, set out in sufficient detail to fairly enable him or her to show any error that may exist. (See Termination of Employment: Dismissal Policy, for Employee Appeal Process)