

# PROCEDURE MANUAL

 <b>ARIZONA WESTERN COLLEGE</b>	<b>PROCEDURE 477.1</b>		
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	<b>Last Revision Date:</b>	01-11-99	
<b>Effective Date:</b>			
<b>Section:</b>	Personnel	<b>Subject:</b>	Employee Discipline

## PURPOSE

The purpose is to establish a procedure for disciplinary action designed to correct undesirable behavior of employees to the extent possible. This procedure will be instituted for cause only and is applicable to all employee groups. This procedure does not affect the at-will status of classified employees and shall not be interpreted to require that at-will employees be terminated for cause only.

## PROCEDURE

### 1. Definition

*Cause* is defined as those actions, omissions, or behaviors which are detrimental to the operations of the College and/or its administrative units or which impair the College's mission, purposes, and objectives as an institution of higher education. Cause for which disciplinary actions may be taken include, but are not limited to, misconduct or insubordination.

### 2. Informal Resolution

- 2.1 Oral warning: The supervisor will call the employee's attention to the undesirable behavior and warn the employee that such behavior must cease.
- 2.2 Oral counseling: The supervisor will discuss the continuing problem with the employee and together explore measures to remedy the problem. At the time of the counseling, "A Memorandum for the Record" will be made, dated and initialed by both parties. This memorandum will be kept confidential in the supervisor's file and a copy provided for the employee.

### 3. Initiating Authority

If the counseling is unsuccessful or if counseling is not appropriate under the circumstances (that is, conduct of a serious nature that merits more than counseling), the supervisor of the employee will consult with all of the other supervisors of the employee, including the appropriate Vice President and Director of Personnel, to determine further action which may include formal disciplinary action.

### 4. Formal Disciplinary Action

- 4.1 Disciplinary action must be reasonable, timely, related in severity to the seriousness of the offense, and, whenever reasonably possible, designed to correct the behavior.
- 4.2 Disciplinary action of varying severity may be imposed for an accumulation of different offenses.
- 4.3 The employee's entire employment record may be considered in order to determine the appropriateness of the disciplinary action.

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- 4.4 The disciplinary action may include **one or more** of the following:
  - 4.4.1 Written reprimand: The employee will be given a written statement that documents the problem, outlines the solution(s), and lists the possible consequences if behavior is repeated. A copy of the written reprimand, initialed by the employee, will be placed in the employee's personnel file.
  - 4.4.2 Probation: The employee will be placed on disciplinary probation for a stated period of time. A copy of the terms of probation, including corrective action(s) required, initialed by the employee, will be placed in the employee's personnel file.
  - 4.4.3 Suspension without pay: The employee will be placed on suspension without pay for a stated period of time. A copy of the terms of suspension, initialed by the employee, will be placed in the employee's personnel file.
  - 4.4.4 Termination: The employee may be terminated.
5. If it appears that the employee's discipline problems may be the result of physical or mental incompetence, the employee may be required to be examined by a College-selected physician(s), at the College's expense.
  - 5.1 If the employee is found competent, the sanctions set forth in subsection 4.4 may be imposed. An employee who is competent is responsible for his or her job-related conduct regardless of whether a mental condition contributed to, or influenced, the employee's conduct.
  - 5.2 If treatment is prescribed, the employee may be required to obtain treatment as a condition of continued employment.
  - 5.3 If the employee is not physically or mentally competent to fulfill the essential functions of his or her job, the College may require the employee to utilize his vacation or sick leave, or may decide not to continue employment.
6. In cases involving serious misconduct, an employee may be terminated or receive other formal disciplinary sanctions regardless of the absence of prior disciplinary problems or the absence of prior progressive disciplinary action. (Refer to Termination, 475.3 or 475.4.)
7. If the employee contests the disciplinary action (except for termination - 4.4.4), the employee may file a grievance no later than seven (7) calendar days after the final decision was rendered for disciplinary action. (Refer to Grievance, 455.1.)
8. Disposition of the Record of Disciplinary Action(s)
  - 8.1 The Director of Personnel is responsible for the disposition of the record of disciplinary action(s).

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- 8.2 The employee is responsible for ensuring that any record of disciplinary action that is contained in that employee's official personnel file is purged after a period of two years.