

The college shall establish a grievance process that meets all requirements of federal and state statute and regulations (ARS 15-1445).

The procedure is applicable to all employee groups.

This procedure does not affect the at-will status of employees and shall not be interpreted to require that employees be dismissed for cause only.

Disciplinary action of varying severity may be imposed for an accumulation of different offenses.

The employee's entire employment record may be considered in order to determine the appropriateness of the disciplinary action.

Date of Adoption: Adoption of Manual

References: ARS 15-1445

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Mohave Community College may utilize a series of minor corrective disciplinary actions providing the opportunity to improve job performance and comply with College Policies and Procedures. Such actions may include counseling/coaching, verbal and written warnings, disciplinary probation, investigative suspension with pay, and suspension without pay for a period less than five (5) days, as deemed appropriate by the responsible administrator and the President.

Minor disciplinary actions shall be imposed by the employee's immediate supervisor. An employee who wishes to object to a minor disciplinary action shall submit a written statement to the supervisor's superior within five (5) work days of receiving notice of the disciplinary action. The supervisor's superior will review the statement and may confer with the employee, the supervisor, and such other persons, as the supervisor's superior deems necessary. The decision of the supervisor's superior will be final and documentation will be forwarded to human resources.

Counseling/Coaching

Counseling and coaching are the most common methods employed for assisting the employee to improve work performance or comply with policies and procedures. Counseling or coaching should be a cooperative attempt at determining and correcting the problem. With the exception of serious failures to conform with Policies and/or Procedures, as determined by the responsible administrator, disciplinary actions will occur only after counseling/coaching efforts have been unsuccessful.

Warnings

Warnings may be either verbal or written. A written warning is used for more serious errors, failure to meet job requirements or violations of policies or procedures, as determined by the responsible supervisor, or when a verbal warning has not produced satisfactory results. Either type of warning shall specify problem(s) and what action is required to correct it. For a verbal warning the supervisor will keep notes detailing the events of the meeting to include what work issues were discussed and what measures are to be taken to resolve the issue.

A written warning shall explicitly state that it is a "written warning" and shall specify that further disciplinary action will follow if the employee fails to achieve a satisfactory level of performance. The written warning shall be reviewed by the appropriate chief officer and Office of Human Resources before it is presented to the employee. A copy of the warning shall be sent to Human Resources for inclusion in the personnel file.

Disciplinary Probation

Disciplinary probation is the establishment of a period of time, normally not less than thirty (30) calendar days and no more than one semester, during which the performance or behavior of a staff member will be more closely scrutinized in an attempt to bring about a desired change. A disciplinary probation period carries an implied intent by the College to retain the employee for the duration of the probation.

If, however, new deficiencies occur during a disciplinary probation period or performance declines, the employee may be given more serious discipline, up to and including termination. Before initiation of the disciplinary probation period, written documentation to substantiate the discipline must be on file with the appropriate campus dean, chief officer and Human Resources. To initiate the disciplinary probation period, the Supervisor must recommend to the administrator that an employee be disciplined. If approved by the administrator, a memorandum will be given to the employee showing the inclusive dates of the probation period. The memorandum should also include a description of the specific nature of the deficiencies, the corrective action required, and the fact that more severe disciplinary action will be taken (up to and including termination) if the employee does not correct his/her behavior.

Upon issuing the notice of the disciplinary probation period, the Supervisor will initiate a schedule of meetings between the employee and the Supervisor to regularly review the progress made by the employee to correct the deficiencies. The employee has the option of having a third party, agreeable to both parties, present at these meetings. The Supervisor shall keep a written record of these meetings. At the end of the disciplinary probation period, the employee's Supervisor shall prepare a special performance evaluation report detailing the employee's success or failure in completing the period. This report should then be forwarded to the administrator. After reviewing the report, the administrator will then decide to recommend termination of the employee or return the employee to his/her previous employment status. If termination is warranted, the Chief Human Resources Officer will notify the employee in writing of the decision within ten (10) business days. A copy of this memorandum shall be provided to Human Resources for placement in the personnel file.

Investigative Suspension

Investigative suspension is the temporary release of an employee from duty by an Administrator with approval of the President, normally for up to three (3) business days, with pay, to permit investigation of infractions of College Policies or Procedures. Upon completion of the investigation, the employee may be returned to work without penalty, placed on disciplinary suspension, discharged or subject to more moderate disciplinary action as deemed appropriate to the circumstances by the responsible administrator with approval of the President. The facts surrounding the investigative suspension shall be documented with a copy to the employee and Human Resources. The duration of an investigative suspension may be extended when deemed necessary by the administrator who imposed it with approval of the President, in order to permit additional investigation.

Disciplinary Suspension

Disciplinary suspension is the temporary release from duty of an employee for up to five (5) consecutive business days without pay and is applicable when the responsible supervisor determines that a violation(s) or repetition of violation(s) of College Policies or Procedures is serious enough to warrant suspension and the appropriate Campus Dean and chief officer recommends the action. Should an employee's conduct warrant two suspensions within a two-year period, dismissal shall be considered. Written notice of disciplinary suspension shall be given to the employee by the appropriate Campus Dean or chief officer with the approval of the President, with a copy to Human Resources and shall include the following:

1. Reason for the disciplinary suspension.
2. Dates of suspension duration.

5.155-A

**Discipline
Minor Disciplinary Actions**

5.155-A

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The responsible administrator shall determine whether particular violations of the Standards of Professional Conduct policy or other College Policies and Procedures are serious enough to warrant immediate specific disciplinary measures outside of minor disciplinary action, including recommendation for dismissal. Major disciplinary actions shall follow notice and appeal processes set forth in section 5.170.

Suspension without Pay for More than Five Days

The employment of an employee may be suspended without pay for a period of more than five (5) days by action of the President, for any conduct that, in the judgment of the President, is inappropriate.

Dismissal

Dismissal is the involuntary termination, other than a layoff/reduction in force, of an employee by a responsible administrator with approval of the President. Dismissal terminates the disciplinary process and no further steps under this section are available to the employee. Dismissal will occur in accordance with 5.170.

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