



BOARD POLICIES

DIVISION II. College Employees	REFERENCE NO. 2.2.4 [1]
CATEGORY 2.2.4 Discipline Policy (Non-Union Employees)	Approval 8/09

DISCIPLINARY ACTION

Joliet Junior College recognizes that generally disciplinary action should be corrective in nature; however, there are situations where it must be used punitively.

Section 1: General

It is the policy of Joliet Junior College (JJC) and its departments to have certain expectations regarding conduct and performance.

Supervisors are charged with the authority to manage and direct workforce size, work assignments, employment hours, promotion, demotion, transfer, and dismissal based on departmental needs, including designating work hours, conduct and performance expectations for all employees.

Employees are responsible for meeting the college and departmental expectations regarding conduct and performance, and also may be held to departmental procedures regarding attendance, call-in, etc. An employee may receive disciplinary action for failure to meet conduct and/or performance expectations.

All disciplinary actions involving suspensions without pay or termination require concurrence of the vice president in charge of the general area in which the employee performs his or her services after recommendation by the appropriate dean/director prior to discipline being administered.

Supervisors should contact the human resources department when considering the termination of an employee.

JJC recognizes three categories of discipline that would warrant the use of discipline. The categories listed below are not the discipline but they are the reason for disciplining employees.

1. **Unsatisfactory Job Performance** is performance that fails to meet expected performance standards.
2. **Grossly Inefficient Job Performance** is performance failure that may seriously threaten public safety or financial resources. **Grossly Inefficient Job Performance** may result in an employee receiving a written warning, suspension, demotion, or dismissal without intermediate measures.
3. **Unacceptable Personal Conduct** is conduct for which no reasonable person should expect prior warning. **Unacceptable Personal Conduct** may result in a written warning, suspension, demotion, or dismissal without intermediate measures.

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Section 2: Causes for Disciplinary Action

The reasons for disciplinary action may include, but shall not be limited to:

- A. Activities prohibited by federal & state law/statutes, local ordinances, codes or regulations, Board of Trustee Policies, the JJC Employee Handbook, or administrative procedure;
- B. Gross misconduct;
- C. Failure to meet prescribed standards of work. Any employee who receives two (2) consecutive unsatisfactory performance appraisals shall be dismissed from employment;
- D. Theft or destruction of college property;
- E. Failure to comply with directions or orders of a supervisor’s request – insubordination;
- F. The use of abusive language or manner toward a fellow employee or the public;
- G. Fraudulently obtaining or using sick or injury leave;
- H. Unauthorized absences;
- I. Acceptance of any consideration from a third party intended to inappropriately influence the employee in the performance of his/her duties;
- J. Falsification of records;
- K. Use of official position for personal financial advantage;
- L. Dishonesty, deliberate untruthfulness, possession or distribution of alcohol or illegal drugs, drunkenness, drinking on the job, drug abuse, or recklessness on the job;
- M. Harassment as defined by law or as specified by Board policy;
- N. Failure to observe departmental policy;
- O. Excessive absenteeism or tardiness;
- P. Unauthorized possession of any type of firearm or other weapon;
- Q. Conduct unbecoming of an employee;
- R. Conviction of a felony, theft, sexual abuse, etc.;
- S. Abuse or misuse of technology, (i.e. e-mailing, Internet, telephone);
- T. Smoking in a “non-smoking” area;
- U. Fighting.

Section 3: Procedure

Generally, a supervisor will attempt to resolve performance issues with an employee through informal discussions and counseling sessions, all of which should be documented in writing. When these actions fail to result in improved work performance or when the issue is more serious in nature, the college will generally engage in the concept of progressive discipline.

The degree of progressive discipline administered will depend on the severity of the infraction and shall be in accordance with college policies and procedures as well as local, state or federal laws and regulations. It

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is the responsibility of each supervisor and department head to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The college follows the principle and practice of progressive discipline as follows:

A. Types of Disciplinary Action:

1. Verbal Warning
This type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. Supervisors should inform the employee that the supervisor is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action. A notation that a verbal warning was given should be made in the employee's personnel file. The employee should receive a copy of the verbal warning.

2. Written Warning/Reprimand
This notice will be issued in the event the employee continues to disregard a verbal warning or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file.

An employee may receive multiple written warnings for similar or different infractions.

A final written warning is usually the final disciplinary action prior to suspension; however, there are times when a supervisor can proceed directly to a final warning or suspension. This depends on the severity of the problem.

Before issuance of written warning, the written warning documentation must be approved by human resources. A copy of the written warning will be handed to the employee at the time of the discussion of the discipline. The employee shall sign the written warning to acknowledge receipt. The signature is an acknowledgement that the employee received the warning and not an admission of guilt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the supervisor and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it.

3. Suspensions
This form of discipline is administered as a result of a severe infraction of policies or for repeated violation.

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An employee may be suspended with or without pay by their immediate supervisor after concurrence by the appropriate vice president and director of human resources, for reasons of misconduct, negligence, inefficiency, insubordination, unauthorized absence or other justifiable reasons when alternate personnel actions are not appropriate. The duration of the suspension shall be in accordance with the seriousness and severity of the infraction and/or the disciplinary history of the employee.

Suspensions may be any duration in accordance to the violation.

An employee may be suspended without pay or demoted, for **Unsatisfactory Job Performance**, with previous active disciplinary actions on file, or without any prior disciplinary action for **Grossly Inefficient Job Performance** or **Unacceptable Personal Conduct**. A pre-disciplinary conference may be required.

4. Demotion

Demotion may be used in those instances where an employee has been hired in, or promoted to, a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted. Demotion may be used as disciplinary action.

If an employee is demoted, the following guidelines regarding pay apply:

If the employee's previous salary falls within the new salary range, it may remain unchanged or be reduced to any rate within the new range. A salary adjustment downward is generally considered appropriate to bring the employee's salary in line with actual performance and to maintain internal equity. An employee automatically qualifies for a position when demoted or reassigned within the same field of work. If either demotion or reassignment is made to a different field of work, the employee must meet the minimum qualifications for the position.

5. Termination

Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious infractions, including, but not limited to, insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the supervisor. An employee may also be dismissed after repeated offenses of a less serious nature if the offenses have been documented by the managers and appropriate behavioral changes have not resulted from previous progressive disciplinary action. For dismissals of a serious or criminal nature,

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supervisors should contact Campus Police so that a notice of trespass can be issued to keep the party from returning to college property.

An employee may be dismissed for **Unsatisfactory Job Performance**, with previous active disciplinary actions on file, or without any prior disciplinary action for **Grossly Inefficient Job Performance** or **Unacceptable Personal Conduct**. A pre-disciplinary conference may be required

In special circumstances and at the department's discretion, employees may be given the option to resign in lieu of dismissal. The human resources department should be contacted, to obtain additional information.

B. Investigatory Status with Pay:

Investigatory Status with Pay may be appropriately used to provide time to schedule and hold a pre-dismissal or pre-disciplinary conference. Also, management may elect to use placement on investigatory status in order to avoid undue disruption of work or to protect the safety of persons or property.

It is necessary to contact the human resources department before placing an employee on Investigatory Status with Pay.

Prior to being dismissed for **Unsatisfactory Job Performance**, full-time employees must receive at least two written warnings including a final written warning.

C. Appeals:

Appeal of a dismissal, demotion, or suspension in excess of five (5) working days, may be made by an employee by applying in writing within five (5) working days to the vice president of their department. The vice president shall hold a hearing within five (5) working days or a mutually agreeable time after such request for appeal shall have been made by the employee. The hearing will be of an informal nature with the employee and his or her supervisors who recommended the discipline in attendance. The vice president shall render his/her decision within ten (10) working days after the hearing. The vice president may uphold, increase or reduce the severity of punishment should this, in his/her judgment, be warranted. If an employee does not have a vice president of their department, such appeal shall be taken to the director of human resources who shall have the same decision making capabilities as a vice president under this subsection C.

If it is the president who has issued the initial disciplinary action, any appeal shall be in the form of

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a request for reconsideration. The president shall respond to such request within (5) working days. The president's decision shall remain final.

D. Rehire:

It is the policy of the college not to rehire former employees who have been dismissed or who resigned while discipline was pending. Employees who are separated for **Unacceptable Personal Conduct** or **Grossly Inefficient Job Performance** are not eligible for rehire at JJC. This includes employees who resign once disciplinary action for dismissal due to **Unacceptable Personal Conduct** or **Grossly Inefficient Job Performance** has begun.

E. Resolution of Disciplinary Actions:

All disciplinary actions (e.g. written warnings) issued to employees will remain in active status until one of the following occurs:

1. Management notifies human resources in writing that the reason for the disciplinary action has been resolved or corrected; or
2. The purpose for a performance-based disciplinary action has been achieved, as evidenced by a summary performance rating of level 3 (Meets Expectations) or other official designation of performance at an acceptable level or better and at least a level 3 or better in the performance area cited in the warning or disciplinary action, following the disciplinary warning or action; or
3. Disciplinary action and management has not issued to the employee notice of the extension of the period and the employee does not have another active warning or disciplinary action which occurred within the last 18 months.

Inactive disciplinary actions will be removed from the employee's main personnel file and placed in an inactive file in Human Resources.

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F. Extension of Disciplinary Actions

Any written warning or disciplinary action for an employee may be extended at any time within 18 months of the effective date of the disciplinary action. The employee and human resources must be given written notice of the extension. Supervisors should contact the human resources department prior to extending employee's written warning or disciplinary action.