



## **GDQD-R - DISCIPLINE, SUSPENSION, AND DISMISSAL OF SUPPORT STAFF**

### **1. DISCIPLINARY AUTHORITY**

Management and supervisory personnel have the authority to take necessary disciplinary actions such as issuing oral and written warnings and written reprimands.

Suspension with pay may be initiated under the conditions set forth below.

Any suspension without pay or dismissal must be coordinated through the personnel services office and approved by the superintendent or designee.

In all cases under the accompanying policy and these regulations, the superintendent or designee may delegate authority to impose disciplinary action or other related duties to managerial and supervisory subordinates as deemed appropriate under the circumstances.

### **2. GROUNDS FOR DISCIPLINE**

An employee will be subject to disciplinary action up to and including immediate dismissal if the school district believes that any of the following grounds exist.

(Grounds for disciplinary actions are not limited to this list.)

- a. Incompetence, inefficiency, or negligence in the performance of job duties
- b. Conduct which endangers the well-being of employees, students, or the public
- c. Negligent or willful damage to or waste of district property
- d. Violation of or failure to comply with Board policies and regulations, procedures of the employing department, the Poudre School District Safety Manual, or other applicable district policies or procedures
- e. Failure or refusal to comply with a lawful order to accept a proper assignment from an authorized supervisor
- f. Language or conduct on or off the job which adversely affects the district's credibility with the public or other district employees or which adversely affects the employee's performance

- g. Insubordinate acts or language which hamper or undermine the supervisor's or other employee's ability to appropriately control, manage, or function in his/her authorized capacity
- h. Language or conduct which is disruptive of effective and cordial working relationships with district employees, students, the public, or employees of other organizations with which the district transacts business
- i. Working while under the influence of intoxicants or other substances which adversely affect the employee's judgment, physical fitness for work, reliability, or any other aspect of job performance
- j. Unauthorized or improper use of any type of leave, abuse of meal or rest periods, repeated tardiness or unauthorized departure from the work area, falsely reporting time worked, or working overtime and/or additional work hours without obtaining prior supervisory approval
- k. Conviction or admission of a felony or misdemeanor which adversely affects the employee's ability to perform his/her duties
- l. Improper disclosure, damage, or destruction of or gaining unauthorized access to district records or records in the custody of district departments
- m. Failure to obtain or maintain a current license, certification, registration, accreditation, or other qualifications or credentials required by law or by the district
- n. Soliciting or accepting bribes; misusing district funds
- o. Conversion of district-owned or controlled property, equipment, vehicles, or anything else of value to personal use or individual gain
- p. Discrimination against or harassment of applicants for employment, employees, or students because of their race, color, sex, age, ethnic or national origin, religion, handicap, political affiliation, or veteran's status
- q. Retaliation against an applicant for employment, employee, or students because he/she made a legitimate complaint of possible violation of Board policy. Retaliation against individuals for filing Department of Labor, Equal Employment Opportunity Commission (EEOC), or the Colorado Civil Rights Commission (CCRC) complaints, whether or not such complaints are supported by an investigation by these agencies.
- r. Making deliberately false accusations of policy violation
- s. Making deliberately false statement

- t. Failure to pass post-offer, random, or follow-up drug and/or alcohol tests
- u. Any act which is wrong in itself or a gross moral wrong which would shock the conscience of a reasonable, prudent person

### 3. WARNINGS AND REPRIMANDS

- a. No formal procedure is required for the imposition of oral warnings, written warnings, oral reprimands, or written reprimands when a manager, department supervisor, or the superintendent or designee chooses to do so.
- b. Written warnings and reprimands should be placed in the employee's personnel file and a copy given to the employee. Written warnings and reprimands may be removed from a personnel file at the discretion of the supervisor and department head.

### 4. SUSPENSION WITHOUT PAY, DEMOTION, OR DISMISSAL

- a. When information received by a manager, department supervisor, or superintendent or designee indicates the possible need to suspend without pay, demote, or dismiss an employee, the employee will be notified in writing of the complaint against him/her, the policy violated, and the potential disciplinary action. A copy of the notice also will be given to the director of personnel services.
- b. No sooner than 24 hours but no later than five working days after the employee has received notification, the superintendent or designee and the employee's direct department supervisor will meet with the employee, present the information that has come to their attention, and give the employee an opportunity to admit, deny, or explain the factual basis for the charge or to present information regarding mitigating circumstances.

If the employee wishes, he/she may submit a written explanatory statement to the superintendent which will be placed in his/her personnel file. The employee also may be represented by an attorney or other individual of his/her choice.

- c. Within 10 working days following the meeting, the superintendent or designee will decide what disciplinary action, if any, should be taken based upon the information obtained. The superintendent or designee will consult with the director of personnel services prior to taking any disciplinary action or dropping the matter without disciplinary action.
- d. If the superintendent or designee, after consulting with the director of personnel services, determines that the employee should be suspended

without pay, demoted, or dismissed, the employee will be notified in writing of the disciplinary action being taken and the specific reasons for the action. The note will further explain grievance rights.

- e. The grievance procedure will be the exclusive remedy for an employee who believes that good cause did not exist for his/her suspension without pay, demotion, or dismissal.
- f. Vacation, sick leave, compensatory time, or any other leave days may not be used or accrued during a suspension without pay.

## 5. SUSPENSION WITH PAY

- a. The superintendent or designee may suspend an employee with pay. A suspension with pay may or may not be a disciplinary action and will not necessarily result in an adverse notation in the personnel file. Suspension with pay may be imposed in order to remove the employee from the workplace while a criminal or disciplinary investigation is underway. The superintendent or designee also may implement suspensions with pay for any other reasons deemed to be in the best interest of the district.
- b. The personnel services office must be notified immediately when a suspension with pay is to be given.
- c. Before a suspension with pay is implemented, the employee will be informed of the reason for the suspension and given an opportunity to state why he/she believes the suspension is not appropriate. Suspensions with pay will not be grievable.
- d. When in the judgment of a manager, department supervisor, or the superintendent or designee an employee's mental, emotional, or physical condition or conduct is such that the employee's presence on the job potentially endangers the employee or other employees, students, or public safety and welfare, the department leader, manager, or superintendent or designee may immediately suspend the employee with pay. The procedure specified in section #4 above will then be followed as soon thereafter as practical.

## 6. REASSIGNMENT

- a. The superintendent or designee may temporarily reassign an employee in order to remove the employee from the workplace while a criminal or disciplinary investigation is underway. Prior to reassignment, the superintendent will inform the employee of the reason for the reassignment and give the employee an opportunity to state why he/she believes that the reassignment is not appropriate.

- b. Temporary reassignments will be at the employee's same rate of pay and will not be grievable.

## 7. TEMPORARY/PROBATIONARY EMPLOYEES

All classified employees are subject to the above disciplinary procedures except that employees serving an original probationary period or temporary employees may be dismissed or disciplined by the superintendent or designee with or without cause. Such action will not be grievable.

The director of personnel services and the superintendent must be consulted prior to dismissal of a temporary or probationary employee for a reason other than lack of funds or lack of work.

Current practice codified 1995

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### CROSS REFS.:

GBEC, Drug-Free Workplace

GBK, Staff Concerns/Complaints/Grievances

GDO, Evaluation of Support Staff