Code: **GCD/GCD1**
Adopted: June 24, 2006

GCD DISCIPLINARY ISSUES

GCD1 Disciplinary Action and Appeal

1. Policy

   Except for those classified employees covered by the current collective bargaining agreement between the District and the Mineral County Classified Employees Association, employment with the District is at-will. Accordingly, either the employee or the District can terminate the employment relationship at any time, with or without cause or advance notice. An employee in an at-will status has no property right or a right to continued employment.

   For those classified employees who are covered by the collective bargaining agreement between the District and the Mineral County Classified Employees Association, the District will adhere to the general principles of "progressive discipline" in matters requiring disciplinary action. Such disciplinary actions will usually range from verbal warnings, written warnings or reprimands, suspension with or without pay to demotion or termination. If circumstances warrant such action however, the District may, in the exercise of its discretion, impose a particular discipline or terminate employment without following the steps of progressive discipline.

   Disciplinary action, up to and including termination, may be implemented for unsatisfactory performance or for misconduct including, but not limited to, the following:

   a. Conduct unbecoming an employee in the District's service, or discourteous treatment of members of the public or a coworker, or any other act of omission or commission that impacts negatively on the public's perception of the integrity or credibility of the District or erodes public confidence in the District.

   b. Falsification of or making a material omission on forms, records, or reports including applications, time cards, and other District records.

   c. Absence from work without permission or without notification of an appropriate administrator or manager/supervisor, habitual absence or tardiness, or misuse of sick leave.

   d. Unauthorized possession, removal, or use of the District's property, including, but not limited to, funds, records, keys, confidential information of any kind, equipment, supplies, or any other materials.

   e. Insubordination, refusing to follow directions, or other disrespectful conduct directed toward an administrator or manager/supervisor.

   f. Sexual or other illegal harassment of another employee, member of the public, vendor, student, parent, or anyone doing business with the District, or anyone present on premises owned or controlled by the District.

   g. Actual or threatened physical violence, including, but not limited to, intimidation, overt or subtle threats, harassment, stalking, or any form of coercion.

h. Possession or inappropriate use of drugs or alcohol on property owned or controlled by the District or while on duty or in an on-call status.

i. Possession of or aiding others in bringing unauthorized firearms, weapons, hazardous biological material or chemicals, or other dangerous substances onto property owned or controlled by the District.

j. Violation of safety or health policies or practices, or engaging in conduct that creates a safety or health hazard to other employees, the public, vendors, or him/herself.

k. Dishonesty, including intentionally or negligently providing false information, intentionally falsifying records, employment applications, or other documents.

l. Willfully or intentionally violating or failing to comply with the District's policies, rules, regulations, and/or procedures.

2. Forms of Disciplinary Action

Disciplinary action includes, but is not limited to, one or more of the following:

a. Verbal warning (document time, date, and subject)

b. Written reprimand

c. Suspension*** (See Note)**

d. Pay reduction

e. Demotion

f. Termination

***Note:** Exempt employees are subject to the following rules regarding disciplinary pay deductions and unpaid suspensions:

Pay deductions may only be made in cases of violations of safety rules of major significance, including those rules related to the prevention of serious danger in the workplace or to other employees. An example would be violating a rule that prohibits smoking in explosive plants or around flammable material. Deductions can be made in any amount.

Unpaid suspensions may be imposed for infractions of workplace conduct rules, such as rules prohibiting sexual harassment, workplace violence, or drug or alcohol use, or for violating state or federal laws. The suspension must be for serious misconduct, not for performance or attendance issues. Suspensions must be in full day increments.

END OF POLICY

Legal Reference: