

TA 4-13-26

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April 13, 2026
4:30 pm

ARTICLE 4 EMPLOYEE RIGHTS

A. Just Cause

1. The Association recognizes the right to discipline employees. However, no employee will be disciplined, demoted, or suffer a reduction in compensation without just cause. For the purposes of this article, except when warranted, the principals of progressive discipline will be applied, and discipline shall be defined as a reprimand in writing, suspension without pay, termination, or reduction in rank or compensation.
2. Verbal directives or written Letters of Directives issued to an employee are not considered to be discipline and shall not be placed in the employee's personnel file.

B. Complaints and Investigative Meetings

1. Notification of an investigative meeting will include a description of allegations of concerns sufficient to inform the employee of the reason for the meeting.
2. An employee shall be entitled to have a representative of the Association present during any investigatory meeting or any meeting which might reasonably be expected to lead to disciplinary action. When a request for such representation is made, the meeting will be postponed if necessary to allow the employee to obtain representation but need not be postponed more than 24 hours. The employee or representative may inquire, at the start of such meeting, regarding its purpose, including inquiring about the general subject matter of the questioning to follow.
3. The determination of any investigative meeting shall be communicated to the employee no later than 10 working days from the meeting date with the employee under investigation. The parties agree to provide extensions of this notice period upon request.
4. Once the District has determined an investigative meeting will be conducted with the employee related to claims or a complaint brought against that employee, the District will make efforts to provide notice within 30 (thirty) calendar days. Exceptions to this provision include when the District is prevented from doing so by outside agencies and/or school breaks and recesses. If the District attempts to notify an employee and the employee is absent from work, the absences shall not be counted against the 30 (thirty) day notification period.

1. Definition:

Complaint: A written or verbal statement filed with the District or District administrator by a student, parent, community member, or coworker alleging wrongdoing by an employee.

2. Investigative Meetings:

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- a. An employee shall be advised of any formal complaint or claim filed by a student, parent, community member, administrator, supervisor, or coworker. Complaints or claims can be handled in an informal way with the Administrator sharing the information and working for a mutual non-disciplinary resolution of the problem in keeping with the policies of the District and guidelines for ethical educators.
 - b. Once the District has determined an investigative meeting will be conducted with the employee related to claims or a complaint brought against that employee, the District will make efforts to provide notice within 30 (thirty) calendar days. Exceptions to this provision include when the District is prevented from doing so by outside agencies and/or school breaks and recesses. If the District attempts to notify an employee and the employee is absent from work, the absences shall not be counted against the 30 (thirty)-day notification period.
 - c. If a complaint or claim may result in discipline and an investigative meeting is to be held, notification of the meeting will include a description of the complaint in sufficient detail about the employee's alleged misconduct to apprise the employee of the reason for the meeting, including the date(s) of the alleged misconduct, if applicable.
 - d. An employee shall be entitled to have a representative of the Association present during any investigatory meeting or any meeting which might reasonably be expected to lead to disciplinary action. When a request for such representation is made, the meeting will be postponed if necessary to allow the employee to obtain representation but need not be postponed more than 24 hours. The employee or representative may inquire, at the start of such meeting, regarding its purpose, including inquiring about the general subject matter of the questioning to follow.
 - e. A copy of the complaint or claim, or a written summary of the complaint or claim, will be provided prior to the beginning of the investigative meeting.
 - f. The determination of any investigative meeting shall be communicated to the employee no later than 10 working days from the meeting date with the employee under investigation. The parties agree to provide extensions of this notice period upon request.
 - g. Complaints or claims not processed in conformance with this section shall not be used in the evaluation or discipline process. If the complaint or claim is placed in the employee's personnel file, the employee shall have the right to attach to the complaint or claim any relevant statement or documents.
3. No retaliation: There will be no retaliation against any complainant by the Association or the person complained about.

C. Organizing

Education Support Professional Employees shall have the right to participate in Association activities as

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provided by the Public Employees Collective Bargaining Act.

D. Conformance with Law

Nothing contained herein shall be construed to deny any employee their rights under the constitutions and laws of the United States and the State of Oregon or under other applicable laws and regulations.