

Coast Community College District
BOARD POLICY
Chapter 7
Human Resources

BP 7365 Discipline and Dismissal – Classified Employees

References:

Education Code Sections 88001(e) and 88013

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, involuntary reassignment, reduction in pay, demotion, suspension, or discharge, for any of the following grounds. These causes for discipline are in addition to those provided for in applicable bargaining agreements.

Causes for discipline for classified employees who are members of a bargaining unit are delineated in the Agreement between the District and the Coast Federation of Classified Employees.

The following causes for discipline apply to confidential employees and classified managers.

- A. Fraud in securing employment or making a false statement on an application for employment.
- B. Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time.
- C. Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
- D. Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions of, or insulting or demeaning the authority of a supervisor or manager.
- E. Dishonesty involving employment such as:
 - 1) Falsification of facts or altering of any campus records in connection with work;
 - 2) Altering or falsification of any student records either for one's self or other students;
 - 3) Unauthorized release or divulgence of confidential information from District and/or college records
- F. Being impaired by or under the influence of alcohol, drugs, or narcotics while on duty, which could impact job performance.
- G. Excessive absenteeism.
- H. Unexcused absence.

- I. Abuse of sick leave (such as taking sick leave without a doctor's certificate when one is required or misuse of sick leave)
- J. The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing a plea of *nolo contendere* made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this section.
- K. Discourteous treatment of the public or another employee.
- L. Improper or unauthorized use of District property.
- M. Damage or destruction of District property.
- N. Inattention to duty, indolence, carelessness, negligence, or repeated and unexcused tardiness.
- O. Refusal to subscribe to any oath or affirmation which is required by law in connection with District employment.
- P. Any act of conduct, either during or outside of duty hours which is of such a nature that it causes discredit to the District, the employee's department or division.
- Q. Mental or physical impairment which renders the employee unable to perform the essential functions of the job without reasonable accommodation or without presenting a threat to the health and safety of self or others.
- R. Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his/her official duties.
- S. The refusal of any employee of the District to testify under oath before any court, grand jury, or administrative officer having jurisdiction over any then pending case in which the District is involved. Violation of this provision may constitute of itself sufficient ground for the immediate discharge of such or employee.
- T. Willful violation of policies, procedures, or other rules which may be prescribed by the District, college(s), or departments.
- U. Working overtime without prior authorization.
- V. Engaging in political activity not authorized by law during working hours.

If the Chancellor determines that the immediate demotion or suspension of the employee without pay would be in the best interests of the District, then the procedure outlined in AP 7365 titled Discipline or Dismissal – Classified Employees shall be followed to include this action.

No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, or for any cause that arose more than two years preceding the date of the filing of any charge against the employee, unless the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

The Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code.

Adopted February 5, 2003
Renumbered CCCD Policy 050-1-1.7, Spring 2011
Renumbered from CCCD Policies 7365 and 7852
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