
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: PROGRESSIVE DISCIPLINE

NUMBER: PRO 5-25

REFERENCE: Board Rule 5.08

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I. GENERAL INFORMATION

The College, as approved by the District Board, subscribes to the principle of using objective and appropriate discipline to correct employee conduct and performance. Disciplinary action when imposed will be issued whenever appropriate in a progressive manner as defined here dependent upon the seriousness of the offense, the established facts taking into consideration aggravating and mitigating circumstances, prior disciplinary action, and any other information deemed relevant, or as otherwise required by law. To enable the application of consistent and appropriate discipline with corrective action, except when the violation or offense is serious enough to warrant immediate suspension or termination, progressive discipline will be used as related herein.

II. TYPES OF DISCIPLINARY ACTION ASSOCIATED WITH PROGRESSIVE DISCIPLINE

When progressive discipline is administered it shall be administered appropriately dependent, in part, on the facts and circumstances of each case. The following types of disciplinary action will be applied as appropriate.

a. Oral Reprimand

An oral reprimand involves a discussion between the supervisor and the employee regarding violation of performance standards with an emphasis on correcting the employee's behavior. Documentation of an oral reprimand shall be maintained, and a copy may be placed in the employee's personnel file.

b. Written Reprimand

1. For more serious or repeated cases of performance standards violations, the supervisor (with approval of the next higher-level supervisor) will counsel the employee as to the correct and expected behavior. This counseling will be recorded along with circumstances of the violation and a warning, if appropriate, in memorandum form. The original memo will be given to the employee and a copy sent to the Human Resources Office for the employee's file;
2. For repeated job performance offenses and/or serious misconduct the supervisor will complete an updated performance review. The appropriate areas on the performance evaluation form equating to the offenses or conduct violations will be marked as "Unsatisfactory" with supporting documentation. The supervisor will develop with the

assistance of HR a specific development or remediation plan of actions and dates to assist the employee in correcting the performance issues. Depending upon the frequency of the performance offense and/or the seriousness of the misconduct, the employee may be placed also on probation;

3. One specific development action for a disciplined employee may be that he/she be directed to the Employee Assistance Program for performance support commensurate to the performance violation. In such cases attendance and completion of the rehabilitative support plan may be a condition of continued employment. (See Drug Free Policy, PRO 5- 24, for other information regarding EAP.)

c. Probation and/or Suspension

An employee may be placed on probation as a result of serious misconduct or based upon the degree and frequency of job performance below standard as documented in the performance review. The employee will be presented in writing the following:

1. The reason for the probation;
2. A specific action plan for remediation containing defined actions to be taken by the employee for producing specific positive outcomes;
3. Any terms or conditions of the probation for improvement/remediation;
4. The length of the probation period required for completion of the action plan and all appropriate terms or conditions of the probation; and,
5. The consequences for failure in successfully completing the probation/remediation plan. Such consequences may be suspension or dismissal as warranted.

The suspension of an employee, with or without pay, shall normally be based on the recommendation of the supervisor with counsel from Human Resources. The recommendation shall be subject to the final approval of the President or designee to ensure consistency of action throughout the institution. Upon return from any suspension the employee will automatically be placed in a probationary status for a six-month period. The Human Resources Office will issue all suspensions.

d. Dismissal (Discharge)

When the above stated actions fail in correcting any employee's performance or behavior, or when the offense requires immediate separation from employment, a discharge action shall be taken. With counsel from HR the supervisor shall normally recommend the action to the appropriate Vice President. The Vice President or HR shall inform the President of the situation and recommendation. The recommendation shall be subject to the approval of the President or designee, who shall issue the discharge.

III. ADMINISTRATION OF DISCIPLINARY ACTION

- a. The President delegates authority to administer disciplinary action as follows:
 - 1. An Oral Reprimand is delegated to the employee's immediate supervisor or higher-level supervisor;
 - 2. A Written Reprimand is delegated to the employee's immediate supervisor with the approval of the next higher-level supervisor;
 - 3. In the case of a proposed Probation, Suspension or Dismissal, the highest-level supervisor shall counsel with HR. HR will then arrange for a review of the proposed action by the President or designee. If the proposed action is approved, the President, or designee, will implement the Suspension or Dismissal.

IV. RIGHT OF GRIEVANCE

Other than those employees serving in a probationary status, employees disciplined under this procedure relative to suspension and dismissal shall have the right to file a grievance. With the exception of those employees in probation, employees who are disciplined under this procedure shall have the right to file a grievance. The grievance must be filed within ten (10) work days of the disciplinary action established. See Procedure 2-10, Grievance Procedure, for details. Instead of exercising the College's grievance procedure continuing contract faculty may choose to exercise their rights to an administrative hearing in accordance with the guidelines of Chapter 120 Administrative Hearing, FL Statutes.