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**SUBJECT: CORRECTIVE ACTION POLICY (STAFF, ADMINISTRATIVE EMPLOYEE, ADJUNCT FACULTY)**

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**1.0 PURPOSE**

- 1.1. This Policy is intended to set forth the Policy of the College with regard to Corrective Action of Staff Members, Administration Employees, And Adjunct Faculty employees. This Policy strives to be fair to the Employee and the College by setting forth reasonable expectations and procedures regarding the continuing employment relationship and Corrective Action when necessary. This Policy is intended to comply with Board of Regents Policy R841.

**2.0 DEFINITIONS**

- 2.1. Adjunct Faculty: A person who is not Faculty but who is employed to teach classes. All Adjunct Faculty are considered At-will Employment Employees.
- 2.2. Administration Employee: Officers of the administration whose primary responsibilities are management and general business operations including the President, Vice-Presidents, Associate Vice Presidents, Assistant Vice Presidents, and other administrative employees as designated by the employee's MOU. All Administration Employees are considered At-will Employment Employees.
- 2.3. At-will Employment: Employment that can be Terminated with or without cause. This includes Part-time and Temporary Staff Employees, Administration Employees, Probationary Regular Staff Employees and Adjunct Faculty.
- 2.4. At-will Employment Employees: Those Employees who may be Terminated with or without cause. This includes Part-time and Temporary Staff Employees, Administration Employees, Probationary Regular Staff Employees and Adjunct Faculty.
- 2.5. Concern: Employee performance or conduct that is considered below the College's expectations.
- 2.6. Corrective Action: Employment action taken by a Supervisor with the goal of correcting unacceptable employee performance or conduct when appropriate but may include Sanctions up to and including Dismissal.
- 2.7. Delivery or Delivered: Personal delivery to the individual of a written statement regarding the Corrective Action process except if the individual cannot be personally located at the usual place of College employment during assigned working hours, a Notice may be sent by regular mail to the employee's last known address or email to the employee's College email address or other known email address.

- 2.8. Demotion: Moving an employee involuntarily to a lower position and with a lower wage.
- 2.9. Disciplinary Probation: A Level Three Corrective Action where an employee is placed on a probationary period for a set period of time with written conditions governing their employment. A violation of any of the conditions may result in immediate Dismissal.
- 2.10. Discipline: Employment related action (including imposition of Sanctions) undertaken to correct or modify unacceptable job performance or behavior to acceptable standards. Consists of Level 2 and 3 Corrective Actions.
- 2.11. Dismissal or Dismissed: A Disciplinary action where an employee's employment with the College is ended.
- 2.12. Faculty: A person who is a member of the College's full-time Faculty as defined in Policy. A person may be a Faculty member and in a Staff position in which case this Policy applies to employment in the Staff position. Rights as a Faculty member are addressed in the College's Advancement and Tenure Policy or Professional Track policy
- 2.13. Final Decision Letter: A letter issued to an employee notifying him or her of the College's decision regarding a Discipline matter.
- 2.14. Final Written Warning: A letter issued to an employee which addresses a Concern that is reoccurring or significantly disruptive in nature.
- 2.15. Human Resources or HR. The office in the College charged with the administration and record maintenance of personnel matters or such other person as may be specially designated by the President to act in regard to this Policy.
- 2.16. Immediate Supervisor: the lowest level of salaried supervision of an Employee. The Immediate Supervisor may designate a Line Supervisor or higher level as the Immediate Supervisor for purposes of this Policy.
- 2.17. Ineligible for Re-employment Designation: Employment status designated by Human Resources for employees who have engaged in behavior that is egregious in nature.
- 2.18. Job Abandonment: Termination of employment due to the failure of an employee to show for work for three consecutive work days/shifts and failing to appropriately notify his/her Line or Immediate Supervisor.
- 2.19. Level One Corrective Action: Performance Improvement Plan. Performance improvement plans primarily addresses performance related concerns. Behavioral concerns within the workplace should be addressed through Pre-Corrective Action, Level Two Corrective Action, and Level Three Corrective Action
- 2.20. Level Two Corrective Action: Action that addresses employee Concerns that are recurring, disruptive and/or significant. Level Two Corrective Action may

be taken without prior warning depending on the nature and severity of the Concerns. Level Two Corrective Action options include: Written Warning Letter and Final Written Warning Letter. A Final Written Warning Letter may be issued without first issuing a Written Warning Letter.

- 2.21. Level Three Corrective Action: Action that addresses Concerns that are severe and/or pervasive and that have had or may have a significant negative impact on the College. Concerns may be considered severe due to a lack of progress by the employee in meeting expectations despite previous attempts of Corrective Action or due to a higher level of impact/potential impact created by the employee Concern. Level Three Corrective Action may be taken without prior warning, depending on the nature and severity of the Concerns. Level Three Corrective Action options include: Demotion, Reduction In Pay, Suspension Without Pay, Disciplinary Probation, and Dismissal.
- 2.22. Line Supervisor. The lowest level of non-salaried supervision of an Employee.
- 2.23. Notice: Notification to an employee of a matter related to the Corrective Action process. Notice is an explanation of the perceived Concern and may include an explanation of proposed Sanctions. Notice may occur through a conversation in person, by phone or electronically; by Delivery of a written statement including a Notice of Intent; or in another way calculated to apprise an employee of a Corrective Action matter. [Note "Notice" as used in R841 is defined as "Delivery" in this Policy.]
- 2.24. Notice of Intent: A written statement setting forth a Concern(s), circumstances surrounding the Concern, the impact on the College, any previous attempts to address the Concern or similar Concerns, and may include a proposed Sanction.
- 2.25. Paid Administrative Leave: Paid time equal to an employee's regularly scheduled hours of work. Employees on Paid Administrative Leave are subject to recall at any time and must remain available to return to work. Paid Administrative Leave is considered a non-punitive action with no loss of employment status.
- 2.26. Part-time or Temporary Staff Member: a Staff Member assigned to work less than full-time, or in a position considered temporary or expected to be of short duration. Normally, a Part-Time Staff Member is one assigned to work less than 75%. A Temporary Staff Member is an Employee in a position that is not expected to last more than 9 months. All Part-time and Temporary Staff Employees are considered At-will Employment Employees.

- 2.27. Performance Improvement Plan: A constructive way to address Concerns and give an employee the opportunity to succeed. It may be used to address performance deficiencies or to ameliorate behavior-related concerns.
- 2.28. Pre-Corrective Action: Action that addresses minor employee Concerns in an attempt to correct the behavior before it becomes more problematic. Includes but is not limited to the following options: training, coaching, verbal reprimands and verbal warnings. Pre-Corrective Action should clearly outline where performance is lacking and offer training and support as needed.
- 2.29. Probationary Regular Staff Employees: Regular Staff Members during their initial period in which they are considered in At-will Employment status and under evaluation. At the sole discretion of the College, the probationary period for Probationary Regular Staff Employees may be extended with approval from Human Resources with or without prior Corrective Action or Discipline in accordance with Policy 323 - Probationary Period
- 2.30. Reduction In Pay: A decrease in salary or hourly wages (within FLSA regulations) which replaces the employee's current salary or hourly wage amount.
- 2.31. Regular Staff Member: a staff member whose employment is of a continuous nature, initially funded for a non-temporary period, who has successfully completed the probationary period. This includes exempt and non-exempt employees not covered by a similar faculty procedure, but excludes Probationary Regular Staff Employees, At-will Employment Employees, Administration Employees, Part-time Staff Employees, Temporary Employees and Adjunct Faculty. Normally, a Regular Staff Member is one assigned to work 75% or more in a position expected to last more than 6 months that is a full-time benefits eligible position and defined as a Regular Staff Member in an employment MOU. May also be referred to as Regular Staff Employee.
- 2.32. Response or Respond: A communication from an employee regarding a Corrective Action matter. This is an employee's opportunity to be heard.
- 2.33. Sanctions: Disciplinary measures authorized to be imposed upon employees including a Written Warning, Reduction In Pay, Disciplinary Probation, Suspension Without Pay, Demotion, or Dismissal from employment. Sanctions do not include verbal warnings, reprimands or Performance Improvement Plans.
- 2.34. Staff Member or Staff Employee: a classified or professional employee in a non-faculty position who receives compensation for work or services from funds controlled by the institution, regardless of the source of the funds, the

duties of the position, the amount of compensation paid, or the percent of time worked. May also be referred to as Employee.

- 2.35. Supervisor: The Immediate or Line Supervisor or other person in the line of supervision including Administration Employees.
- 2.36. Suspension Without Pay: A temporary interruption of an employee's wages and work requirement.
- 2.37. Termination or Terminated: The end of an employee's employment at the College. Includes Dismissal, reduction in force, and end of temporary employment.
- 2.38. Written Warning: A letter issued to an employee which addresses unacceptable performance and/or conduct.

### 3.0 POLICY

- 3.1. Snow College recognizes that productive and valued employees are essential to achieve the College's mission. It is the policy of Snow College to provide a fair and supportive environment for its Employees by setting forth reasonable expectations and procedures regarding the continuing employment relationship. However, in the course of the employment relationship the College recognizes that Corrective Action is sometimes necessary. Corrective Action shall be handled in a manner to achieve the least adverse effect upon Employees and the College and in accord therewith shall be Delivered by the College with the goal of correcting unacceptable employee performance or conduct when appropriate but may include Sanctions up to and including Dismissal when in the discretion of the College such action is necessary.

### 4.0 PROCEDURES

- 4.1. Employees are subject to Corrective Action for Concerns contrary to the College's mission, operations or policy. The following are examples of Concerns that may trigger Corrective Action:
  - 4.1.1. Unsatisfactory Performance—failure to satisfactorily perform job duties or meet job requirements including lack of productivity, efficiency and quality of work or unsuitability to job requirements. Unsatisfactory performance is defined by reference to College or any sub-unit expectations, including any verbal or written expectations communicated by a Supervisor; College Policies and Procedures; and federal and state laws. Unsatisfactory Performance may occur through a Staff Member's negligence, intentional acts, incompetence or inability to meet job requirements or perform job duties.

- 4.1.2. Unsatisfactory Conduct—failure of an Employee to properly conduct his or herself including disorderly conduct. It includes any conduct or behavior of a nature that no reasonable person should expect to receive prior warning. It also includes conduct or behavior off-duty or away from the College if that conduct impacts the College, violates College or department policy, or violates the law.
- 4.1.3. Insubordination—refusal to follow (or following only after complaining or resisting) a reasonable written or verbal instruction from a manager or other College employee with apparent authority, including Department of Public Safety officers in the discharge of their duties or fail to cooperate with an apparently legitimate college investigation conducted by, among others, Human Resources, Title IX, Risk Management, Public Safety, or Internal Audit. (Employees who believe they have been instructed to violate College policy or the law should contact Human Resources immediately.)
- 4.1.4. Harm—conduct that poses a serious threat or actual harm to people or College property.
- 4.1.5. Conflict of interest—as defined by College policy or state law or regulations.
- 4.1.6. Crime—conviction of a crime by a court of competent jurisdiction.
- 4.1.7. Poor Attendance—unauthorized or unapproved absences; excessive absence; failure to follow departmental procedures regarding notification of or requests for leave; habitual tardiness; chronic absence; patterns indicating abuse of leave policy; falsification of timekeeping records; failure to return from approved leaves; job abandonment.
- 4.1.8. Misuse of College property or funds—damage or misuse of College property or funds.
- 4.1.9. Dishonesty—providing false, fraudulent or inaccurate information in the course of employment (such as on resumes or applications or payroll documents), while conducting College business, on College documents or during College investigations, audits or complaint processes; making bad faith allegations of wrongdoing, including allegations that are knowingly false, capricious, maliciously motivated or made with reckless disregard for facts.
- 4.1.10. Discrimination, harassment or retaliation— the unjust or prejudicial treatment of different categories of people including harassment based upon prejudice and retaliating against a person for reporting discrimination or harassment or participating in a process that seeks to correct or prevent discrimination or harassment.

- 4.1.11. Misappropriation— unauthorized use or possession of College assets which results or could have resulted in financial loss to the College (for example, theft; embezzlement; fraud; conflict of interest; failing to report known or suspected misappropriations).
  - 4.1.12. Interference with work—unjustified interference with the work of others.
  - 4.1.13. Confidentiality—breaching confidentiality through unauthorized access, use, release or retention of confidential or proprietary information concerning the College and any affiliated entities, operations or personnel (for example, information and/or records related to payroll, personnel, student, alumni, donor, patient, financial, business, research or teaching), regardless of intent.
  - 4.1.14. Safety—failure to follow safe work practices, failure to report unsafe work practices, failure to immediately file accident reports, failure to immediately report safety hazards to a manager or Risk Management.
  - 4.1.15. Alcohol and drugs—use of alcohol or illegal drugs, or being under the influence thereof, while working.
  - 4.1.16. Law—failure to follow or violations of federal law, state law and College regulations, policies and procedures including those prohibiting discrimination or harassment because of race, color, ethnic origin, religion, sex, age, disability, or other legally impermissible behavior or retaliation.
  - 4.1.17. Electronic resources—use of College computing and/or electronic resources improperly including violations of the College’s Information Technology Acceptable Use Policy #225.
  - 4.1.18. Violence—acts of violence or the threat of violence.
  - 4.1.19. Violation of student rights—engaging in misconduct involving students such as discrimination, harassment or Title IX violations or enabling such misconduct by others including failing to report as required by law or College policy or rules.
  - 4.1.20. Other generally accepted standards—violation of other generally accepted standards of conduct, where such violation creates substantial inefficiency and/or an unacceptable work atmosphere at the College.
- 4.2. To determine the appropriate level of Corrective Action, the College may consider the following:
- 4.2.1. The severity of the Concern.
  - 4.2.2. The repeated nature of the Concern.
  - 4.2.3. Prior Discipline/Corrective Actions.
  - 4.2.4. Previous verbal warnings and performance discussions.

- 4.2.5. The employee's past work record.
- 4.2.6. The impact on College operations and/or reputation.
- 4.2.7. The potential of the violations for causing damage to persons or property.
- 4.2.8. Any other relevant information.
- 4.2.9. While progressive discipline is allowed, the College may not institute disciplinary proceedings against an Employee more than once based on the same facts, circumstances, or events.
- 4.3. Immediate Supervisors generally initiate Corrective Action. Thus, these procedures speak generally about an Immediate Supervisor taking an action but action may be taken by a Line Supervisor, others in the supervision chain, HR or any appropriate College Administration Employee. If action is taken by someone other than a Line or Immediate Supervisor the Immediate Supervisor of the employee must be informed of the need for action and involved in the action when possible.
- 4.4. HR provides oversight of the Corrective Action process to ensure that policy and procedures are followed and that actions are consistent and fair. HR acts as a resource to Supervisors and administration. HR also facilitates communication with employees.
- 5.0 CORRECTIVE ACTION FOR REGULAR STAFF EMPLOYEES
  - 5.1. These procedures must be used for Regular Staff Employees.
    - 5.1.1. These procedures may be used for At-will Employment Employees including Adjunct Faculty, Part-time or Temporary Staff Employees, Administration Employees and Probationary Regular Staff Employees. However, applying Corrective Action to At-will Employment Employees does not create an expectation of employment or an expectation of Discipline instead of Termination and does not change the nature of their At-will Employment status.
    - 5.1.2. Where a specific Corrective Action is determined to be appropriate but it is not listed in this Policy or Procedure, HR will determine which level it fits within best and the procedures for that level will be followed as nearly as is practicable.
    - 5.1.3. In connection with these procedures, the College may suspend an employee with pay at any point in the process, require that the employee not be on College property without specific permission, or impose other conditions.
  - 5.2. Pre-Corrective Action Procedures:
    - 5.2.1. It is incumbent on Supervisors to manage employees who report to them. They should convey clear expectations of performance, train employees, and manage performance issues in a timely manner. The



expectation is that Supervisors will discuss performance Concerns and workplace conduct Concerns with employees and attempt to correct Concerns through means less than Corrective Action when feasible, but in a Supervisor's or the College's sole discretion Corrective Action may be pursued at any time. Pre-Corrective Actions include discussions of expectations, training, coaching, verbal warnings and verbal reprimands. Confirmation in writing may be done and should generally be noted in Performance Evaluations. Pre-Corrective Actions are not considered Discipline.

- 5.2.2. HR may be consulted as necessary and will provide assistance to Supervisors.
- 5.2.3. HR also serves as a resource for employees. Employees may consult HR with questions and Concerns and may seek HR assistance in facilitating communication with co-workers, Supervisors and others. In providing such assistance, HR primarily plays a consulting and training role.
- 5.3. Level One Corrective Action: It may be determined that a Performance Improvement Plan ("PIP") is necessary to address Concerns. A PIP is generally not considered Discipline, it is a constructive way to address Concerns and give an employee the opportunity to succeed.
  - 5.3.1. Level One Corrective Action Procedures:
    - 5.3.1.1. A Concern is noted.
    - 5.3.1.2. The Immediate Supervisor and HR discuss the Concern, determine whether a Performance Improvement Plan may be appropriate to address the Concern, and if so HR provides the template for a Performance Improvement Plan.
    - 5.3.1.3. A PIP is created to address the Concern and set forth in writing expectations for the employee.
    - 5.3.1.4. The PIP must be approved by Human Resources before it is issued.
    - 5.3.1.5. The employee is given Notice of and an opportunity to respond to the Concern that led to the PIP.
    - 5.3.1.6. The approved PIP is Delivered to the employee. The PIP is discussed including how it will be implemented. The employee may give feedback. Generally, the next level Supervisor should witness this meeting. The PIP may be modified at this point. The final PIP is then implemented.
    - 5.3.1.7. The Line and/or Immediate Supervisor will meet regularly throughout the term of the Performance

Improvement Plan to coach the employee and to assess and document progress.

5.3.1.8. At the conclusion of the Performance Improvement Plan, the Immediate Supervisor, in consultation with HR, will recommend: Level 2 or 3 Corrective Action, which may include Dismissal; ending the PIP and allowing the employee to continue his or her normal duties; extending the term of the PIP.

5.4. Level Two Corrective Action: Some Concerns require stronger action. These Concerns will invoke the Discipline process.

5.4.1. Level Two Corrective Action Procedures:

5.4.1.1. A Concern is noted that is significant and requires more than Pre-Corrective Action or a PIP.

5.4.1.2. The Immediate Supervisor shall contact Human Resources to discuss the Concern, or if initiated by another person the Immediate Supervisor is contacted and involved in the discussion with HR when possible. Generally an investigation should be conducted to confirm that there is a valid Concern and document it if possible. The employee who is the subject of the Concern should generally be contacted as part of the investigation. HR, in consultation with the Immediate Supervisor and an Administration Employee if necessary will determine who should investigate the Concern.

5.4.1.3. Upon validating the Concern HR provides the Immediate Supervisor a template for a Notice of Intent typically a Notice of Intent to Issue a Written Warning or Notice of Intent to Issue a Final Written Warning.

5.4.1.4. The Notice of Intent is created to address the Concern. The Notice of Intent must be approved by Human Resources before it is issued. HR should consider whether a significant adverse employment action is possible and potential severity and consider consulting legal counsel or State Risk Management before approving.

5.4.1.5. The employee will be given Notice of the Concern by Delivery of the Notice of Intent and then given an opportunity to Respond. The opportunity should usually be a face-to-face conversation with the Immediate Supervisor or other Administration Employee after allowing the employee to read the Notice of Intent. Depending on the Response, the Notice of Intent may be revised and then re-Delivered, or the Notice of

Intent may be withdrawn. If withdrawn, the Immediate Supervisor may issue a new Notice of Intent, impose a lesser Corrective Action, or choose to take no further action.

- 5.4.1.6. If a Level Two Corrective Action Notice of Intent is Delivered, the employee will be given an opportunity to further respond in writing within five calendar days.
- 5.4.1.7. The Immediate Supervisor will discuss the Response(s), if any, and the situation with HR. In cooperation with HR a Final Decision Letter will be created setting forth the College's decision and Sanction, if any. The Final Decision Letter may incorporate the original Notice of Intent, may modify that or may withdraw it. HR must approve the final decision letter. HR should consider whether the Sanction, if any, rises to the level of a significant adverse employment action and if so should consult legal counsel or State Risk Management before approving and document that guidance has been sought and adhered to.
- 5.4.1.8. The final decision letter will be Delivered to the employee with notification of the grievance procedure. The employee may then grieve the decision, pursuant to the Employee Grievance Policy, but the Sanction will generally be effective immediately.
- 5.4.1.9. The Final Decision letter will be added to the employee's personnel file.
- 5.5. Level Three Corrective Action: Some Concerns raise the issue of whether the employment relationship should be continued. These Concerns will invoke the Discipline process at the highest level.
  - 5.5.1. Level Three Corrective Action Procedures:
    - 5.5.1.1. A Concern is noted that is severe.
    - 5.5.1.2. The Immediate Supervisor shall contact Human Resources to discuss the Concern, or if initiated by another person the Immediate Supervisor is contacted and involved in the discussion with HR when possible. Generally an investigation should be conducted to confirm that there is a valid Concern and document it if possible. The employee who is the subject of the Concern may be contacted as part of the investigation. HR, in consultation with the Immediate Supervisor and an Administration Employee if necessary will determine who should investigate the Concern.

- 5.5.1.3. Upon validating the Concern HR provides the Immediate Supervisor a template for a Notice of Intent typically a Notice of Intent for Demotion, Reduction In Pay, Suspension Without Pay, Disciplinary Probation, or Dismissal.
- 5.5.1.4. The Notice of Intent is created to address the Concern. The Notice of Intent must be approved by Human Resources before it is issued. HR must consult legal counsel or State Risk Management before approving and document that guidance has been sought and adhered to.
- 5.5.1.5. The employee will be given Notice of the Concern by Delivery of the Notice of Intent and then given an opportunity to Respond. The opportunity should usually be a face-to-face conversation with the Immediate Supervisor or other administration employee after allowing the employee to read the Notice of Intent. Depending on the Response, the Notice of Intent may be revised and then re-Delivered, or the Notice of Intent may be withdrawn. If withdrawn, the Immediate Supervisor may issue a new Notice of Intent, impose a lesser Corrective Action, or choose to take no further action.
- 5.5.1.6. If a Level Two or Three Corrective Action Notice of Intent is Delivered, the employee will be given an opportunity to further respond to the Notice of Intent in writing within five calendar days. The Notice of Intent may notify the employee that they are suspended with or without pay during the Response period.
- 5.5.1.7. The Immediate Supervisor will discuss the Response(s), if any, and the situation with HR. In cooperation with HR a Final Decision Letter will be created setting forth the College's decision and Sanction, if any. The Final Decision Letter may incorporate the original Notice of Intent, may modify that or may withdraw it. HR must approve the final decision letter. HR must consult legal counsel or State Risk Management before approving and document that guidance has been sought and adhered to.
- 5.5.1.8. The Final Decision Letter will be Delivered to the employee with notification of the grievance procedure. The employee may then grieve the decision but the Sanction will generally be effective immediately.
- 5.5.1.9. The Final Decision letter will be added to the employee's personnel file.

## 6.0 PROGRESSIVE DISCIPLINE

6.1. When feasible Progressive Discipline should be considered by the College. However, Progressive Discipline is not considered feasible where the College determines in its sole discretion that Progressive Discipline is not warranted in a particular situation.

## 7.0 CORRECTIVE ACTION AND TERMINATION FOR AT-WILL EMPLOYEES

7.1. At-will Employment Employees may be Terminated from their positions with or without cause for any lawful reason deemed adequate by the College, including but not limited to, unsuitability to job requirements, unsatisfactory performance or unacceptable behavior. Prior Notice or lesser Corrective Actions need not be given. Termination of At-will Employment Employees may be initiated by a Supervisor, College Administration Employee or HR but Termination will only occur after a discussion between the Immediate Supervisor and HR, and the supervising VP when deemed warranted, and written approval by HR which includes the reasons for the Termination.

## 8.0 JOB ABANDONMENT

8.1. An employee who fails to show for his/her shift for three consecutive shifts and fails to notify his/her Line or Immediate supervisor will be terminated due to Job Abandonment.

8.2. Before Termination, the Immediate Supervisor will make at least one attempt to contact the employee in person, by phone or by email.

8.3. The Employee will be notified of the decision in writing.

8.4. The Employee may use the grievance procedures but Job Abandonment is generally not excusable.

## 9.0 INELEGIBLE FOR RE-EMPLOYMENT

9.1. In addition to any Discipline, in the event of Job Abandonment or an Employee Resignation, Human Resources may designate Employees who have engaged in behavior that is considered egregious as Ineligible for Re-employment ("IR"). This decision to designate IR will be made in order to protect the interests of the College and community.

9.2. Designation will apply for at least 5 years from the date of Termination.

9.3. Five years after Termination, employees who have been designated as IR may send a written request for removal of the IR status to the Director of Human Resources. Upon receipt of the request, the Director of Human Resources will make a determination to sustain or repeal IR status. Such a decision is not grievable.

## 10.0 REMOVAL PROCESS

10.1. After three (3) years of satisfactory performance, the recipient of a Level Two Corrective Action or five (5) years of satisfactory performance for a Level Three Corrective Action other than Dismissal, an employee may make a

formal written request to the Director of Human Resources to have the Final Decision Letter removed from their personnel file. The Director of HR will normally consult with Immediate Supervisors and must consult with the VP of the Employee's department, before making a determination. The determination by the Director of Human Resources is final and is not eligible for the employee grievance procedure. If a Final Decision Letter is removed from the personnel file through this process, a record may be retained by Human Resources for document retention requirements.

**11.0 CORRECTIVE ACTION AGAINST HR EMPLOYEES**

11.1. Where in this Policy and Procedure it is directed that Human Resources shall discuss or provide templates, documents, approvals, etc., if a Corrective Action is being considered against an employee in Human Resources or there is another potential conflict, the Attorney for the College shall be consulted. If the Attorney determines there may be a conflict, they shall act as an intermediary in communication with Human Resources, taking care to consult with an employee of the Human Resources Department who is independent of the considered action. The Attorney may provide the required templates, documents, approvals, etc., and facilitate discussion. Any HR employee consulted shall keep the matter confidential from the other persons in Human Resources.

12.0 The Procedures are intended as guidelines only, and they may be modified, supplemented, or revoked at any time at the College's discretion. In particular, these policies do not constitute a contract (nor should they be construed as a contract) guaranteeing employment for any specified duration. Except as set forth in writing in collective bargaining agreements, individual employment contracts, or other College policies, either the employee or the College may Terminate the employment relationship at any time, for any reason. No Supervisor, manager, or representative of the College has the authority to make any promises, commitments, or changes that conflict with the policies in this manual unless approved in writing by the chief human resources officer.

13.0 These Policies and Procedures supersede any handbook or policy statements, whether written or oral, issued prior to their effective date. Any subsequent revisions will substitute and replace prior policy or procedure statements. The College will provide as much Notice as possible of any changes in these policies. The most recent versions of all policies are available here, and policy updates will be posted directly to the Web site.