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<b>POLICY: 2-43 Staff Conduct and Corrective Action</b>
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Approval
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LT Approved: 06/16/22
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Revised: June 2022
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Responsible Party: Vice President, People & Culture
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## **STAFF CONDUCT AND CORRECTIVE ACTION**

This policy applies to all employees/faculty of the college other than those employed by the College on a full-time basis as Non-Provisional Faculty. For the purposes of this policy, the term “Faculty” is as established under applicable Kansas law and generally means full-time employees who hold appointments in the Academic divisions of the College and who teach or instruct as their principal duty.

The purpose of this policy is to establish a consistent process for employee incidents of unmet employment expectations, unacceptable performance, behavior and/or misconduct.

The processes for incidents involving sexual misconduct, sexual harassment, relationship violence, stalking, and/or discrimination are addressed in separate policies.

### **Employment Expectations**

All employees are expected to perform the duties and functions of their job in a competent, satisfactory and acceptable manner while exhibiting professional behaviors consistent with the College values, policy, procedures, and applicable laws. Regular and reliable attendance is considered an essential function of all jobs.

WSU Tech is committed to providing an environment that encourages and assists employees in meeting employment expectations. Failure to meet employment expectations may result in coaching and corrective action. In any individual situation, the circumstances may justify a higher level or lower level of corrective action. Nothing in this policy will be construed to prevent a greater or lesser corrective or disciplinary action being used.

**At Will Employment:** An employment relationship may continue at the discretion of both WSU Tech and the Employee. The College can separate an Employee for any reason at any time, and likewise, an Employee can voluntarily separate employment for any reason at any time. Employment at Will does not preclude compliance with any state or federal law or other College policies.

## **CATEGORIES OF CORRECTIVE ACTION**

### **Employee Coaching Plan**

A documented verbal discussion between a Supervisor and the Employee to address minor violations or incidents.

### **Written Corrective Action**

A written document used to address repeated failures of an Employee to meet employment expectation(s), or for an initial violation or incident of a more serious nature.

### **Final Corrective Action**

A written document requiring consultation with and approval by the Vice President of People & Culture, used to address more serious violations or incidents, allowing an Employee a last opportunity to meet employment expectation(s).

### **Administrative Leave**

A leave that, temporarily, removes an employee from the College when deemed to be in the best interest of the College. Examples include, but are not limited to, when an Employee is involved, as a complainant, as a respondent, other interested person, during an internal review or investigation of alleged behavior and/or action that may violate WSU Tech policy, procedures, applicable laws and/or employment expectations. Typically, Administrative Leave will be paid, however, there may be situations on a case-by-case basis when the leave is unpaid. In those situations, the Employee will be informed of the reason for the determination. The length of an Administrative Leave is normally not more than 30 calendar days. In the event a period of Administrative Leave longer than 30 calendar days is needed to complete the inquiry, the President may extend the leave for as long as necessary to complete the inquiry and determine the outcome.

### **Involuntary Separation**

Involuntary Separation requires consultation with and approval by the Vice President of People & Culture and occurs only when authorized by the WSU Tech President.

Any Employee, who is charged with and/or convicted of a felony offense may be immediately separated from College employment at the discretion the Vice President of People & Culture in consultation with the employee's supervisor.

### **Employee Assistance Program ("EAP") Mandatory Referral**

A meeting mandated by the Supervisor that requires an Employee to meet with an EAP consultant. The referral is intended for situations in which there is a reasonable belief that internal or external circumstances are influencing an Employee's performance that may be corrected through the assistance of consulting services conducted by an outside party. Attendance at mandated EAP appointments will be considered compensable work time.

## **PROCEDURES**

When an unmet Employment Expectation(s) is identified, the Supervisor reviews the concerns with the Employee in a timely manner, documents the concern, and applies the appropriate Coaching and Corrective Action. The level of corrective action depends on the nature and severity of the incident(s), previous performance, and other relevant factors. Each situation is considered on a case-by-case basis and is to be discussed with the Vice President, People & Culture.

- Supervisor engages in a face-to-face conversation with the Employee regarding any concern of unmet Employee Expectations. If the Employee works virtually, an online platform, such as Zoom, may be used in place of a face-to-face conversation.
- Supervisor completes the Coaching and Corrective Action documentation and reviews the expectations with the Employee.
- The Coaching and Corrective Action document is signed by both the Employee and Supervisor to acknowledge review and receipt of the information.
- Employees have the opportunity to provide comments to the documentation if desired. The Employee must provide comments within three (3) college business days of receipt of the Coaching and Corrective Action.
- In instances in which the Employee refuses to sign, Supervisor documents "Employee Refused to Sign" on Employee signature line. Signature confirms receipt of the document. Refusal to sign does not void the corrective action.
- Supervisor sends the original signed document to the Vice President of People & Culture. A copy is maintained by Supervisor and a copy is provided to the Employee.
- Supervisor is encouraged to schedule periodic review sessions with the Employee to assess progress and assist the Employee with meeting Employment Expectation(s). Updates on progress are to be provided to the Vice President of People & Culture.
- Supervisor works with EAP, as appropriate, to assist the Employee in resolving issues and meeting Employment Expectation(s).
- If Employment Expectation(s) are not met, supervisor consults with the Vice President of P&C to continue Coaching and Corrective Action up to, and including, Involuntary Separation.