

5.19 Employee Disciplinary Policy

Last Revised: August 2023

Policy: Piedmont Community College's President or designee may demote or dismiss an employee of Piedmont Community College (PCC) for cause.

Purpose/Definitions:

Purpose

The purpose of this policy is to provide a process by which employees are coached, mentored, counseled, re-assigned, or dismissed concerning behavior and/or work performance.

Definitions

Cause—grounds for disciplinary action as defined in Section 1 of this Policy 5.19.

Demote—the action of decreasing an employee's work pay rate and/or assigning an employee to a role with less pay during and/or as the result of a disciplinary investigation.

Designee—any PCC employee, typically a team member/supervisor, to whom the initially responsible person yields the employment decision.

Dismiss—the action of terminating an employee from employment with PCC.

Approval Authority/Monitoring Authority: The Board of Trustees of Piedmont Community College has approval authority for this policy. The Vice President, Administrative Services/CFO has monitoring authority for this policy.

Procedure:

Section 1: Grounds for Dismissal

1.1. Grounds for immediate dismissal may include, but are not limited to:

1.1.1. Insubordination

1.1.2. Workplace violence

- 1.1.3. Sexual or other unlawful harassment
- 1.1.4. Gross neglect of job duties
- 1.1.5. Immoral or unethical conduct unbecoming a member of the faculty or staff, whether occurring on or off campus, that is detrimental to the College
- 1.1.6. Conviction of a felony or a crime involving moral turpitude
- 1.1.7. Retaliation, tampering with evidence, intimidating witnesses, and/or providing false information during disciplinary investigations
- 1.1.8. Failure to repay money owed to the State in accordance with the provisions of Article 60, Chapter 143 of the North Carolina General Statutes
- 1.1.9. Failure to meet the standards set in a performance improvement plan
- 1.2. Grounds for disciplinary action may include, but are not limited to:
 - 1.2.1. Exhibiting a lack of morals and ethics
 - 1.2.2. Use of alcohol or the non-medically prescribed use of a controlled substance as defined in Article 5, Chapter 90 of the North Carolina General Statutes which results in physical or mental impairment which negatively affects job performance
 - 1.2.3. Failure to fulfill the duties and responsibilities imposed by the North Carolina General Statutes
- 1.3. The President may make the decision to demote or dismiss an employee directly or by approving the recommendation of the appropriate supervisor and/or vice president as outlined further in these procedures.

Section 2: Immediate Dismissal

- 2.1. Notice of dismissal occurs in consultation with the Office of HROD.
- 2.2. When the decision is made to dismiss an employee immediately, the following steps are taken:
 - 2.2.1. Notify Information Technology Services to remove employee's access to network services.
 - 2.2.2. The employee will be allowed to return to their workstation to remove their personal effects unless their continued presence poses a risk to the College.
 - 2.2.3. The employee will surrender entry keys, PCC ID(s), and any other property of PCC to the Office of HROD.

- 2.2.4. The employee will be escorted out of the building by the Director, College Safety or designee.
- 2.2.5. The Office of HROD will survey the appropriate campus officials to confirm closure of all accounts and receipt of applicable PCC property.
- 2.2.6. The Office of HROD will send the former employee the official dismissal notice and any other exit information within 10 business days of the dismissal.
 - 2.2.6.1. The Office of HROD will inform the former employee of any personal effects to be returned to the former employee or College property that needs to be returned to campus.
- 2.3. If the continued presence of the dismissed employee poses a risk to the college, the Director, College Safety or designee will expedite the removal of the employee from campus.
 - 2.3.1. The Office of HROD, in consultation with the former employee's supervisor, will complete an inventory of items which may be the personal effects of the former employee.
 - 2.3.2. The Office of HROD will send the former employee the official dismissal notice, along with the office inventory, and any other exit information within 10 business days of the dismissal.
 - 2.3.3. The former employee then has five (5) business days after receipt of dismissal notice to respond with any questions. Otherwise, the inventory, as listed, will be shipped to the last address of record and any leave payout, if applicable, will be processed as calculated.

Section 3: Preliminary Supervisor Coaching

- 3.1. Prior to coaching, support may begin with a verbal conversation between the supervisor and the employee.
- 3.2. When the supervisor determines that an employee needs some coaching/support concerning performance or behavior, the supervisor will meet with the employee and will document the meeting on an Employee Coaching Notes form.
 - 3.2.1. Level 1: Performance/Behavior issue is minor but needs attention.
 - 3.2.2. Level 2: Performance/Behavior issue is minor but approaching habitual.
 - 3.2.3. Level 3: Performance/Behavior issue is minor and habitual, and improvement measures need further attention.
- 3.3. Vice President signature is optional at Levels 1 and 2; however, the vice president must be notified at Level 3. The vice president does have the option to recommend

implementing a Performance Improvement Plan (PIP) or recommend a formal write-up.

- 3.4. Employee Coaching Notes may be used to support a performance improvement plan and any other future disciplinary action.

Section 4: Performance Improvement Plan (PIP)

- 4.1. Supervisors must provide a reasonable level of coaching as described in Section 3 before implementing a PIP.
- 4.2. Implementation of a PIP must be coordinated with the Office of HROD.
- 4.3. The PIP must include actionable and measurable improvement areas.
- 4.4. The PIP must include a start date, a minimum of one check-in date (e.g., a midpoint), and final check-in date.
- 4.5. The employee has three (3) business days to review the PIP and request clarity on any improvement areas.
- 4.6. Should the PIP process prove unsuccessful, demotion or termination should be considered.

Section 5: Disciplinary Investigation

- 5.1. Allegations of grounds for disciplinary action in Section 1 that do not result in immediate dismissal are investigated by the supervisor (or designee) of the affected employee (hereafter noted as “the investigator”) in consultation with the Director, HROD or designee.
 - 5.1.1. Certain actions may require investigation by other College officials such as the Director, College Safety; Director, HROD; and/or the vice president of the area to which the affected employee is assigned.
 - 5.1.2. The President may opt to assign an alternative investigator.
- 5.2. The investigator will review all available information, including witness interview(s) and employee response, before recommending a disciplinary action, up to and including dismissal.
 - 5.2.1. The investigator will meet with the employee to discuss the report that contains the allegation(s) and findings.
 - 5.2.1.1. The employee has up to ten (10) business days to respond to the allegation(s).
- 5.3. Disciplinary investigations which reveal cause must result in a Written Disciplinary Report. The report will include the following sections:

- 5.3.1. Job Expectations
- 5.3.2. Description of the Event(s)
- 5.3.3. Findings
- 5.3.4. Employee Response
- 5.3.5. Recommendation
- 5.4. Once the investigator has the employee's response, the investigator has five (5) business days to write the recommendation and route the document for the appropriate signatures.
- 5.5. The President has ten (10) business days to approve the recommendation or provide alternative discipline.
 - 5.5.1. During this time, the President has the option of interviewing any witness and/or the employee for further clarity.
 - 5.5.2. The President's decision is final.
- 5.6. The employee's supervisor has five (5) business days to communicate the disciplinary/employment decision to the employee.
 - 5.6.1. This communication plan will be developed in collaboration with the Office of HROD.

Section 6: Employee Rights

- 6.1. The employee may follow the procedures as outlined in PCC Policy 5.20 Employee Grievance if there is reason to believe a wrongful demotion or dismissal has occurred.

Legal Citation: [N.C.G.S. 115-D](#), [1C SBCCC 200.94](#)

History: Policy Effective October 1988, EC Revised December 2018--replaces policies: 5.18 and 5.19, August 2023

Cross-references PCC Policy 5.20 Employee Grievance.