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<b>TITLE:</b>	<b>EMPLOYMENT RELATIONSHIPS, DISCIPLINE &amp; TERMINATION OF EMPLOYMENT</b>
<b>EFFECTIVE DATE:</b>	January 20, 2015
<b>LAST REVISION:</b>	Initial* <span style="float: right;">Policy No. 204</span>

### **PURPOSE**

To identify and define employee-employer relationships at Baton Rouge Community College (BRCC) and to establish rules pertaining to employee conduct, performance, and responsibilities so that all personnel can conduct themselves according to certain rules of good behavior and good conduct. The purpose of this policy is not to restrict the rights of anyone, but rather to help people work together harmoniously according to the standards expected for efficient and courteous service. The policy also outlines matters relative to the termination of the employment relationship.

### **SCOPE AND APPLICABILITY**

This policy pertains to all classified staff, unclassified staff, tenured faculty and non-tenured faculty as stated below.

#### **I. EMPLOYMENT RELATIONSHIP PROVISIONS**

##### **A. CLASSIFIED STAFF**

The employee-employer relationship and discipline for classified employees is governed by Civil Service Rules.

##### **B. UNCLASSIFIED ADMINISTRATIVE STAFF**

BRCC administrative staff members serve in their administrative positions at the pleasure or will of the Chancellor of BRCC, except for the Chancellor of BRCC who serves at the pleasure or will of the Louisiana Community and Technical College System (LCTCS) President.

All non-classified, non-faculty employees who have accepted employment with BRCC have entered into an “employment-at-will” agreement. Under this arrangement, employees are free to resign at any time, with or without cause or reason. Similarly, BRCC may terminate the employment relationship at any time, with or without prior notice.

Discipline for cause will be handled relative to Section II. Discipline, below.

##### **C. FACULTY**

An appointment carries no assurance of reappointment, promotion, or tenure. Reappointments are made solely at the discretion of BRCC with the approval of the Chancellor. The non-reappointment of a faculty member does not necessarily reflect on the faculty member’s work



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record or behavior. The determination to reappoint, or not to reappoint, should be based upon a review of the specific conditions relating to the position.

Faculty (tenured or not tenured) may be terminated for cause. Cause for termination, termination of contract, or demotion in rank shall consist of conduct seriously prejudicial to BRCC or LCTCS such as infraction of law or commonly accepted standards of morality, insubordination, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other actions that impair the termination of duties and the efficiency of the institution. Financial exigency and program reduction are not of a disciplinary nature, but also constitute cause for terminating the employment relationship. The foregoing enumeration of cause shall not be deemed exclusive.

BRCC reserves the right to approve or deny reappointment to faculty employees. Any tenure rights will be enumerated by LCTCS policy and BRCC Academic Affairs policy.

Discipline for cause will be handled relative to Section II. Discipline, below.

## **II. DISCIPLINARY ACTIONS**

Employees will be kept informed of department rules and changes to those rules by his/her supervisor or department head. BRCC believes that employees want to, and will, do a good job if they know what is required to perform their job properly. Supervisors are responsible for ensuring that employees are provided expectations regarding their job. BRCC believes that employees should be given ample opportunity to improve in their job performance.

When there is cause for discipline, the sanction imposed should reflect the seriousness of the problem. Some offenses are so serious as to justify termination or suspension for cause on the first offense (e.g., theft, fraud, serious negligence, etc.) For those offenses that do not justify serious discipline on the first offense, progressive discipline should be applied.

Types of discipline may include:

- 1) denial of merit increase,
- 2) demotion,
- 3) suspension with or without pay,
- 4) termination, or
- 5) other appropriate action.

Suspension is intended to be limited to a reasonable time necessary to investigate the problem and confer with appropriate individuals concerning the disciplinary decision.

Degrees of discipline are generally progressive and are used to ensure that the employee has the opportunity to correct his or her performance. There is no set standard of how many oral warnings must be given prior to a written warning or how many written warnings must precede disciplinary action, up to and including termination. In general, several oral warnings should, at the next infraction, be followed by a written warning, followed at the next infraction by termination. This is especially true in those cases where the time interval between offenses is short and the employee demonstrates a poor desire to improve his/her performance.



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Factors to be considered are:

- how many different offenses are involved
- the seriousness of the offense
- the time interval and employee response to prior disciplinary action(s)
- previous work history of the employee

Denial of merit increase, demotion, suspension with or without pay and termination actions require approval of the Chancellor or his/her designee. It is recommended that prior to any recommendations to the Chancellor of denial of merit increase, demotion, suspension with or without pay and termination actions for cause that the following progressive discipline steps have been taken:

1. Verbal notification by supervisor in an informal counseling session regarding the behavior or work infraction.
2. Written notification by supervisor issued to the employee in a formal counseling session.

**Some examples of offenses include:**

- knowingly filling out time sheet of another employee, without permission of the supervisor
- having one's sheet filled out by another employee, without permission of the supervisor
- being tardy habitually without reasonable cause
- being absent without notification or excuse
- leaving the job or one's regular working place during working hours for any reason without authorization from the supervisor on duty, except for lunch, rest periods and going to the restrooms
- disorderly conduct on company property
- leaving work before end of shift or not being ready to go to work at the start of shift
- interfering with the work of other employees
- inefficiency or lack of application of effort on the job
- violations of company policies outlined in sections of this policy manual
- contributing to unsanitary conditions or poor housekeeping
- imperiling the safety of other employees
- malicious gossip and/or the spreading of rumors

**Some examples of more serious offenses include:**

- unauthorized altering of a time sheet
- immoral conduct or indecency on company property
- gambling on company property
- possession of narcotics, or consuming narcotics on company property
- reporting for work in an intoxicated condition
- responsibility for instigating fighting on company property



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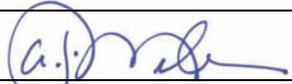
- dishonesty or removal of another employee's property or company property without permission
- willful destruction of company property
- insubordination (Refusal to perform service connected with an employee's immediate supervisor or refusal to obey any reasonable order given by an employee's supervisor or by management)
- misrepresentation of important facts in seeking employment
- refusal to perform work assigned to an employee
- absence for two consecutive working days without notification to BRCC or without acceptable excuse
- petty thievery
- possession of firearms, fireworks or explosives on company property without permission from administration

The employee shall be given the opportunity to explain the circumstances surrounding the incident(s), and to present the reasons he/she feels that any proposed disciplinary action should not be taken, in order that the employee is afforded due process.

Nothing contained herein shall prevent the Chancellor or his/her designee from taking immediate disciplinary action where circumstances warrant such action, and this policy is not intended to provide any additional rights of substantive or procedural due process not mandated by law to BRCC employees.

Source of Policy: LCTCS Policy #6.014 & #6.016

Related Policy: \_\_\_\_\_

Approved by:   
Chancellor Andrea Lewis Miller

Responsible Administrator: Human Resources

LCTCS Policy Reference: #6.014 & #6.016

LCTCS Guideline Reference: Article II Sect 2

Date: 1/20/2015