

## **Board Policy 7365 Discipline and Dismissals Non-Represented Classified Employees**

The Board of Trustees believes that employees should be disciplined or dismissed only when there is just cause. The Superintendent/President shall enact procedures for the disciplinary proceedings applicable to permanent non-represented classified employees of the District. Such procedures shall conform to the requirements of the Education Code. The Board's determination for the sufficiency of the cause for disciplinary action of a classified employee shall be final.

Disciplinary action shall not be taken for any cause that arose prior to the employee being permanent or for any cause that arose more than two years preceding the date of the filing of any charge against the employee. Disciplinary action shall be applicable if the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

A permanent employee shall be subject to disciplinary action, including but not limited to oral reprimand, written reprimand, reduction in pay, demotion, suspension, reassignment or discharge, or any of the following reasons.

1. Fraud in securing employment or making a false statement on an application of employment.
2. Incompetence, i.e., inability to comply with minimum standards of an employee's position for a significant period of time.
3. Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
4. Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions or insulting or demeaning the authority of a supervisor or manager.
5. Dishonesty involving employment.
6. Being impaired by or under the influence of alcohol, illegal drugs, or narcotics while on duty, which could impact the ability to do the job.
7. Excessive absenteeism.
8. Unexcused absence without leave.
9. Abuse or misuse of sick leave.
10. The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty or a conviction showing a plea of nolo contendere made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this section.

11. Discourteous treatment of the public or other employees.
12. Improper or unauthorized use of District property.
13. Refusal to subscribe to any oath or affirmation which is required by law in connection with District employment.
14. Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which is of such a nature that it causes discredit to the District, the employee's department or division.
15. Inattention to duty, tardiness, indolence, carelessness or negligence in care and handling of District property.
16. Mental or physical impairment which renders the employee unable to perform the essential functions of the job without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
17. Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
18. The refusal of any officer or employee of the District to testify under oath before any court, grand jury or administrative officer having jurisdiction over any then pending cause of inquiry in which the District is involved. Violation of this provision may constitute in itself sufficient grounds for the immediate discharge of such officer or employee.
19. Willful violation of policies, procedures and other rules which may be prescribed by the District.
20. Advocacy to overthrow federal, state or local government by force, violence or other unlawful means.
21. Failure to submit to a medical examination by a Board-certified physician, clinical psychologist or psychiatrist upon direction from the District.

Reference: Education Codes Sections 88013 - Replaces Board Policy 4281

El Camino College  
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