

TERM CONTRACTS
DISMISSAL

DMAA
(LOCAL)

GROUNDS FOR DISMISSAL Any full-time faculty member may be dismissed for good cause before the completion of the term fixed in his or her contract.

NOTICE Before any faculty member is dismissed for good cause, the faculty member will be given reasonable notice in writing of the proposed action and the grounds for the action set out in sufficient detail to fairly enable him or her to show any error that may exist.

HEARING If, upon written notification, the faculty member desires to be heard and to contest the proposed recommendation for dismissal, he or she must file a formal complaint, pursuant to DGBA (Local).

ADMINISTRATIVE LEAVE The District President may place any employee on paid administrative leave at his or her discretion either:

1. Pending the investigation of a complaint or allegation of wrongdoing against the employee; or
2. When the District President determines such placement is in the best interest of the College and/or the employee.

The District President may suspend an employee without pay after evidence of, or finding of, gross misconduct or after a hearing has been requested by the faculty member and the scheduled hearing has been postponed at the request of the faculty member. In this case, the effective date of the suspension without pay will be from the date on which the hearing was scheduled.

If a finding of gross misconduct is ultimately overturned by the Board, then the unpaid suspension will be reversed and suspended salary will be paid to the employee retroactive to the date the employee was placed on unpaid suspension.

GROUNDS FOR DISCIPLINARY ACTION / DISMISSAL College employees may be dismissed or subject to disciplinary action during the term of the contract or period of work for the following reasons:

1. Unsatisfactory performance.
2. Insubordination, which includes, but is not limited to, failure to carry out lawful directives and requirements of the employee's supervisor, failure to follow policies and procedures of the College, or repeated neglect of duties.
3. Physical or mental condition that results in the employee's inability to perform the assigned essential job functions, with or without a reasonable accommodation.
4. Conduct involving moral turpitude, which includes, but is not limited to, the conviction of a felony, abusive use of alcohol, and/or illegal drugs while performing the assignment.

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5. Absence for three working days without notifying the immediate supervisor and without approved justification.
6. Falsifying information or documents in connection with a request for a leave of absence or providing a false reason for a leave of absence.
7. Falsification of pertinent information regarding the employee's application for employment, regardless of when the falsification is discovered.
8. Excessive absences or tardiness.
9. Theft, physical violence, and disruption of working conditions.
10. Violation of the College's Code of Ethics, Core Values, and Standards of Conduct.
11. Failure to report arrest(s) or conviction(s) occurring during the employee's term of employment.
12. Inappropriate or unauthorized use of College equipment, property, and resources.
13. Violation of College policy, local law, state law, or federal law.
14. Good cause, as recommended by the District President and approved by the Board.

DISCIPLINARY ACTION

An employee's supervisor will use the College's formal disciplinary procedures to initiate and process disciplinary actions.