

TERM CONTRACTS
DISMISSAL

DMAA
(LOCAL)

GROUND FOR DISMISSAL	Any nonprobationary , 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 shall be given reasonable notice in writing of the proposed action and the grounds <u>for the action</u> 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 action of the Board , he or she <u>must file shall a formal complaint, pursuant to DGBA (Local), comply with DGBA(LOCAL).</u>
ADMINISTRATIVE LEAVE	<p>The College-District President may place any employee on <u>paid</u> administrative leave at his or her discretion <u>either</u>:</p> <ol style="list-style-type: none">1. Pending the investigation of a complaint or allegation of wrongdoing against the employee; or2. When the College President determines such placement <u>is to be</u> in the best interest of the College District and/or the employee. <p>Employees may be placed on administrative leave with pay for a definite or indefinite period of time, at the College President's discretion.</p> <p>The College-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 shall <u>will</u> be from the date on which the hearing was scheduled.</p> <p>If a finding of gross misconduct is <u>ultimately</u> overturned by the Board, then the unpaid leave-suspension will be reversed and <u>base</u> salary <u>will be</u> paid to the employee retroactive to the date the employee was placed on unpaid leave <u>suspension</u>.</p>
GROUND FOR DISCIPLINARY ACTION / DISMISSAL	<p>College District employees may be dismissed or subject to disciplinary action during the term of the contract or period of work for the following reasons:</p> <ol style="list-style-type: none">1. Unsatisfactory performance.2. Insubordination, which includes, but is not limited to, failure to carry out <u>lawful</u> directives and requirements of the employee's

supervisor, failure to follow policies and procedures of the College District, 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 Mmoral 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.
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 Giving providing a false reason for a paid 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 District's eCode of Eethics, eCore vValues, and sStandards of eConduct.
11. Failure to report arrest(s) or conviction(s) occurring during the employee's term of employment.
12. Inappropriate or unauthorized use of College District equipment, property, and /resources.
13. Violation of College District policy, local law, state law, or federal law.
14. Good cause, as recommended by the College President and approved by the Board.

DISCIPLINARY ACTION

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

~~DISMISSAL~~

~~Any separate grievance filed by the employee under DGBA(LOCAL), either pending or filed with or after the dismissal process pursuant to DMAA(LOCAL) has begun, shall not delay consideration of the proposed dismissal by the Board, nor shall it delay implementation of the Board's decision. Employees shall be required to raise all issues that they believe are relevant to their proposed dismissal in their reasons for contesting the dismissal during the dismissal process.~~