

## **Procedure IV.4002.E.a, Employee Performance Counseling and Corrective Action**

### **Associated Policy**

Policy IV.4002.E, Employee Performance Counseling and Corrective Action

### **Purpose**

The purpose of this procedure is to provide an overview of standards and methods that leaders should use when working with employees to improve employee performance or behavior. Human Resources, Employee Relations, will partner with the leader to assist with the appropriate method to be utilized in addressing performance or behavioral concerns.

### **Procedure**

The need for employee counseling may arise for a number of reasons:

- A. To address performance deficiencies, such as the failure to generate a quality work product, or the failure to discharge work in a timely or efficient manner;
- B. To address minor violations of policy or workplace rules that may not have an immediate impact on productivity, efficiency, or safety but that cannot be tolerated if repeated, such as the failure to report to duty on time; and,
- C. To address acts of misconduct and/or major policy or rules violations.

Depending on the area of concern, the College administration ordinarily will employ progressive discipline. Progressive discipline is a series of supervisory actions, corrective in nature, designed to improve job performance or behavior and to assist employees with complying with departmental processes, College policies and procedures, and supervisory directives. The College administration's objective is to identify the area of concern; to provide the employee with information, directives, or guidance regarding the leader's expectations; and to engage in appropriate follow-up to determine whether the employee is meeting expectations.

Appropriate action will be determined based on the nature of the conduct; the severity, frequency, and degree of deviation from expectations; whether the employee's conduct is part of a pattern; whether the conduct is of such a nature that an opportunity for remediation would be reasonable; and whether the employee previously was given an opportunity to address the area of concern. The leader also must consider whether a particular course of action is in the best interest of the College and its students.

Examples of developmental actions may include, but are not limited to, the following:

- A. Counseling and coaching.

- B. Written reminders regarding expectations, rules, procedures and/or deadlines (letter of expectations).

Examples of disciplinary actions may include, but are not limited to, the following:

- A. Corrective Action Notice identifying areas of improvement and a statement of consequences;
- B. Final Corrective Action Notice with a statement of consequences and that the employee may not apply for other positions within the College if expectations are not met;
- C. Disciplinary suspension;
- D. Demotion; and,
- D. Termination.

NOTE: All terminations and suspensions must be approved by the Chancellor after approval from the leadership team and communications with Human Resources, Employee Relations.

### **Job Abandonment / Voluntary Resignation**

An employee who is absent for three (3) consecutive scheduled workdays without approval and without notifying their leader (No Call/No Show), is considered to have abandoned their job. This applies to an employee during the normal course of employment, as well as the scheduled return from vacation or leave of absence.

The College may consider extenuating circumstances when evaluating a No Call/No Show. For instance, if the employee is in a serious accident and not able to notify leadership, the College has the right to exercise discretion.

NOTE: Under Policy IV.4003.D, resignations must be accepted in writing by the Chancellor, Strategic Leadership Team (SLT) member, or a designated senior administrator who is a direct report to the Chancellor or SLT member.

### **Violations of Sections 51.3525(b) of the Texas Education Code**

An employee may be disciplined for violating [Section 51.3525 of the Texas Education Code](#), which prohibits certain policies, employment practices, training programs, and other College activities that (i) provide or promote differential treatment, preferences, or special benefits based on race, color, ethnicity, gender identity, or sexual orientation, unless required by law and approved in accordance with Section 51.3525 or (ii) mandate training programs designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, unless required by law and approved in accordance with Section 51.3525. As stated above, depending on the circumstances, the leader may utilize progressive discipline. As may be appropriate to the circumstances, the leader may consider whether the violation is isolated and inadvertent, whether

the violation can be remedied through counseling or training, whether the violation is intentional or willful, whether the employee previously was warned not to engage in the conduct, and/or whether the violation is part of a pattern of conduct.

### Summary

Although progressive corrective action will be employed in most instances, nothing in this procedure precludes the College from implementing an immediate termination or other discipline without first pursuing progressive measures.

The responsible leader or administrator, in conjunction with Human Resources, Employee Relations, will determine whether certain performance deficiencies or acts of misconduct warrant measures outside of progressive discipline.

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Date of SLT Approval	September 25, 2023
Effective Date	November 7, 2023
Associated Policy	Policy IV.4002.E, Employee Performance Counseling and Corrective Action
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources

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