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4 **DISCIPLINE AND DISMISSAL, CLASSIFIED EMPLOYEES**  
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6 The Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent  
7 classified employees of the District. Such procedures shall conform to the requirements of the  
8 Education Code.

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10 The Board's determination of the sufficiency of the cause for disciplinary action of a classified  
11 employee shall be conclusive.

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13 No disciplinary action shall be taken for any cause that arose prior to the employee becoming  
14 permanent, or for any cause that arise more than two years preceding the date of the filing of any  
15 charge against the employee, unless the cause was concealed or not disclosed by the employee  
16 when it could be reasonably assumed that the employee should have disclosed the facts to the  
17 District.

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19 A permanent member of the classified service shall be subject to disciplinary action, including, but  
20 not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or  
21 discharge, for any of the following grounds:

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- 23 • Fraud in securing employment or making a false statement on an application for employment.
  - 24 • Incompetence, i.e., inability to comply with the minimum standard of an employee's position for  
25 a significant period of time.
  - 26 • Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an  
27 employee in the position.
  - 28 • Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting  
29 supervision, conform to duly established orders or directions of, or insulting or demeaning the  
30 authority of a supervisor or manager.
  - 31 • Dishonesty involving employment.
  - 32 • Being impaired by or under the influence of alcohol or illegal drugs or narcotics while on duty,  
33 which could impact the ability to do the job.
  - 34 • Excessive absenteeism.
  - 35 • Unexcused absence without leave.
  - 36 • Abuse or misuse of sick leave.
  - 37 • The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute  
38 grounds for dismissal of any employee. The record of conviction shall be conclusive evidence  
39 only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing  
40 a plea of nolo contendere made to charge a felony or any offense involving moral turpitude, is  
41 deemed to be a conviction within the meaning of this Section.
  - 42 • Discourteous treatment of the public or other employees.
  - 43 • Improper or unauthorized use of District property.
  - 44 • Refusal to subscribe to any oath or affirmation that is required by law in connection with  
45 District employment.
  - 46 • Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which  
47 is of such a nature that it causes discredit to the District, the employee's department or  
48 division.

- 49 • Inattention to duty, tardiness, indolence, carelessness or negligence in the care and handling  
50 of District property.
- 51 • Mental or physical impairment that renders the employee unable to perform the essential  
52 functions of the job without reasonable accommodation or without presenting a direct threat to  
53 the health and safety of self or others.
- 54 • Acceptance from any source of a reward, gift, or other form of remuneration in addition to  
55 regular compensation to an employee for the performance of his or her official duties.
- 56 • The refusal of any officer or employee of the District to testify under oath before any court,  
57 grand jury, or administrative officer having jurisdiction over any then pending cause of inquiry  
58 in which the District is involved. Violation of this provision may constitute of itself sufficient  
59 ground for the immediate discharge of such officer or employee.
- 60 • Willful violation of policies, procedures and other rules that may be prescribed by the District,  
61 college(s) or departments.
- 62 • Working overtime without authorization.

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89 Reference:  
90 Education Code Section 88013

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92 APPROVED: 6/10/04