

Institutional Policy B7080 Due Process

Category: Faculty, Staff & Students

Subject: Due Process

Effective Date: November 1, 2024

Updated: May 27, 2025

1 Authority:

COCA 1.4

COCA 7.8

2. Policy:

The Board of Governors of NCOM provides and supports a system to ensure that all employees, students, including but not limited to faculty, non-faculty, managers, and executives whether full-time or part-time status, are afforded due process during times of disciplinary review and/or action based on all local, state and federal employment laws.

2.2 Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform their duties to the best of their ability and to the standards as set forth in their job description or as otherwise established.

2.3 NCOM supports the use of progressive discipline to address issues such as poor work performance or misconduct.

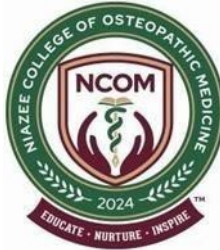
2.3.1 Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues.

2.3.2 Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

2.4 Progressive discipline process:

2.4.1 NCOM reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense.

2.4.2 The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling



and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

2.5 The following outlines NCOM's progressive discipline process:

2.5.1 Verbal warning: A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.

2.5.2 Written warning: Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.

2.5.3 Performance improvement plan: Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when they have demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.

2.6 If at any time throughout the progressive disciplinary process an employee believes that they are being treated in an unfair or unprofessional manner, the employee may request a meeting with the next level supervisor within NCOM's organizational structure and chain of authority to review the employee's grievance. This process may continue up to and including the highest level of management authority within NCOM.

2.7 NCOM reserves the right to determine the final and appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Approved: by BOG

A handwritten signature in blue ink, appearing to be 'A', is written over a blue rectangular box. Below the signature, the alphanumeric string 'A2F8AA10C1CD48C...' is printed.

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