

Master Agreement 2015-2017

ARTICLE 24

Faculty Rights in Disciplinary and Investigative Action

Section A. Disciplinary Action. Disciplinary action may be taken only for just cause. If disciplinary action is grieved, the burden to prove just cause as defined in Article 5, Section A, Subd. 24, rests with the Employer. Nothing in this article shall preclude the President or other appropriate supervisor from attempting to resolve problems with a faculty member in confidence. Unless the President or other appropriate supervisor determines that extenuating circumstances exist, disciplinary action shall be progressive, beginning with oral reprimand, proceeding to written reprimand, then to suspension, and finally to dismissal. All disciplinary action is subject to the grievance procedure.

Subd. 1. Oral Reprimand. An oral reprimand may be issued by the immediate supervisor. An oral reprimand shall be clearly designated as such. A faculty member shall be entitled to have a representative present, and shall be apprised of this right prior to the time of the reprimand. A notation stating only that an oral reprimand has been issued will be placed in the personnel file.

Subd. 2. Written Reprimand. The President, Vice President, or immediate supervisor may issue a written reprimand. A copy shall be provided to the President when issued by the Vice President or immediate supervisor, and shall be placed in the official personnel file. A written reprimand shall be clearly designated as such.

Subd. 3. Suspension.

- a. In the event that the President believes just cause exists for a suspension, he/she shall give written notice of the proposed action to the affected faculty member and the IFO specifying the reasons, with the approval of the faculty member. Suspensions shall be structured in such a manner that the faculty member's presence in, or absence from, the classroom does not disrupt the instructional process.
- b. Suspension without pay shall be limited to a thirty day period.

Subd. 4. Dismissal.

- a. In the event that the President believes just cause exists for dismissal, he/she shall give written notice of the proposed action to the affected faculty member and the IFO. Further, the President shall furnish the faculty member the reasons and shall (with approval of the faculty member) forward such reasons to the IFO.
- b. Service of written notice of dismissal shall be in accordance with Article 5, Section A, Subd. 48.

Section B. Investigative Suspension. The President or authorized designee may suspend a faculty member with pay while an investigation which may lead to disciplinary action is conducted. Normally, such suspension shall not exceed twenty (20) days. With written notice to the Faculty Association, the President/designee may extend an investigative suspension for an additional ten (10) days. Upon agreement of the President/designee and the Association, an investigative suspension may be extended beyond thirty (30) days.