

GENERAL

The Clear Creek Independent School District seeks to establish and maintain positive and productive standards of employee conduct and supervisory practices. These procedures will support the efficient delivery of support services to the Clear Creek ISD through a fair and consistent administration of employee relations. The desired goal is to address job performance problems proactively and prevent the necessity of termination whenever possible.

SUPERVISORY  
RESPONSIBILITY

Supervisory personnel in the Clear Creek ISD responsible for employees considered to be under the "*employment-at-will*" doctrine should exercise caution in the disciplining of workers. Every effort should be made to balance the employer's freedom to dismiss an employee without reason and at any time with the rights of the employee. Generally, attempts at correcting problems should be applied in a progressive manner with documentation that supports the supervisor's attempts to improve the employee's performance. With the exception of a very serious offense, an employee is rarely terminated for a single instance of misconduct.

PROCEDURE

In a progressive system of employee discipline, increasingly severe penalties will be imposed as the seriousness of the offense increases or as repeated offenses occur. As supervisors encounter employee performance that warrants a corrective action, the following steps should be taken unless the behavior is considered to be severe:

Step 1: Verbal Directive - When a supervisor notices a problem with an employee's performance, a brief verbal directive is usually sufficient to correct a normal, nonrecurring problem. Again, the objective is always to improve the employee's deficient performance in a positive and productive manner. This could be followed up with a note to file.

Notes to File - When verbal directives are not successful and problems continue, a note to the file should be used. This should be a simple note made by the supervisor giving a clear and concise statement of the infraction, date and summary of the conversations with employee.

Step 2: Disciplinary Conference - Communication plays a key role in the sequence of corrective steps taken to improve an employee's job-related deficiencies. A conference should be scheduled with the employee, employee's immediate supervisor, and department supervisor. The conference should attempt to clearly communicate the district's policies and procedures and the conduct/performance expected of the employee. The employee should sign a copy of the memo acknowledging that the conference took place. The summary memo must give the employee an opportunity to submit a rebuttal within ten business days.

Step 3: Termination Conference - When efforts for improving an employee's performance fail or in the case of a severe violation of district policies, a termination conference should be held. The Assistant Superintendent of Human Resources should be notified, and the supervisor and Assistant Superintendent of Human Resources should meet with the employee to communicate the decision to terminate. During this conference, the *Exit/Termination Report* should be completed with all information and signature. At this time the employee is expected to turn in all district property and keys in his/her possession.

#### SPECIAL NOTES

Although at-will employees can be terminated at the discretion of the employer at any time and for any reason, there are constitutional provisions that protect employees from violations of their civil rights. When a supervisor encounters a situation carrying the potential disciplinary action to terminate, the supervisor must exercise the necessary caution to ensure that a constitutionally impermissible reason is not being used to support that decision (ex., ADA, sexual harassment, whistleblower actions).