

# Policy IV-G-1: Policy on Termination or Demotion for Contractual Employees

## Policy on Termination or Demotion for Contractual Employees

### 1. INTRODUCTION

This policy establishes uniform standards for termination or demotion of an employee during the term of the employee's contract.

### 2. DEFINITIONS

- A. A **"termination"** is a decision by the College to cease employing an individual before the expiration date in the individual's contract. Non-renewal of a contract is not a termination.
- B. A **"demotion"** is a reduction in position, responsibilities and pay.
- C. Terminations and demotions shall be based on evidence demonstrating the existence of just cause and/or good cause. Just cause and/or good cause includes, but is not limited to:
  - 1. Failing to perform duties or to take action that another College employee reasonably would have done under the same or similar circumstances;
  - 2. Engaging in conduct that would tend to injure or impair the College's interests, reputation or operations;
  - 3. Engaging in conduct that is contrary to the mission and values of the College or that is inconsistent with the employer/employee relationship.

### 3. GENERAL POLICY

- A. Discrimination Is Prohibited
  - 1. Termination or demotion decisions shall be made without regard to the employee's race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender identity, genetic information, marital status, or veteran status.
  - 2. A decision to terminate employment or demote an employee shall not be based on an employee's exercise of rights guaranteed by the Constitution or based upon an employee's exercise of rights conferred by statute, including, but not limited to, federal or state statutes pertaining to medical leave, military leave, and protection of whistleblowers.

- B. Administrative Leave

While a termination or demotion proposal is pending, or during the course of an on-going internal/external investigation, the Chancellor, or his/her designee, may suspend or reassign the

affected employee with pay if it is determined that suspension or reassignment is in the best interest of the College or the College Community.

C. Only the Chancellor or his/her designee is authorized to approve a termination or demotion.

D. Appeal of Termination or Demotion

1. An employee whose employment contract is recommended for termination during the term of the contract, or who is recommended for demotion during the term of the contract, shall be afforded constitutional due process in accordance with published guidelines approved by the Chancellor.
2. This policy does not apply to the non-renewal of Faculty, Staff or Administrator contracts at the end of the contract term. Non-renewal is addressed in Board Policy IV-G-4: Policy on Non-Renewal of Contractual Employees.
3. This policy does not apply to the appeal of a termination or demotion due to a Reduction in Force. Terminations and demotions occurring in conjunction with a Reduction in Force are subject to Policy IV-G-5: Policy on Reduction in Force.

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