

**TENTATIVE AGREEMENT
BETWEEN THE COAST COMMUNITY COLLEGE DISTRICT
AND THE COAST FEDERATION OF CLASSIFIED PROFESSIONALS, LOCAL 4794**

August 10, 2022

This Tentative Agreement between the Coast Community College District and the Coast Federation of Classified Professionals, Local 4794 (hereinafter referred to as the “Federation”) is expressly made pursuant to the Educational Employment Relations Act and the Collective Bargaining Agreement (“Agreement”) between the parties.

All language currently in effect in the Agreement is intended to remain unchanged except as agreed below.

Article 22. DISCIPLINARY PROCEDURE

[...]

22.4 Progressive Discipline. In most cases correction or remediation of unsatisfactory performance or behavior will be best achieved through the application of progressive discipline – a sequence of escalating actions that includes both corrective steps and disciplinary actions.

[...]

22.6 Steps in Progressive Discipline. The Federation and the District agree that the overall purpose of progressive discipline is to help the employee understand the need for improvement in the employee’s behavior or performance. At each step of progressive discipline, the supervisor will clearly define the actions that the employee needs to take in order to demonstrate improvement. In most circumstances, the following sequence of steps will be followed:

A. Corrective Steps. Corrective Steps serve as pre-disciplinary actions in the progressive discipline process. Corrective Steps are intended to ensure that employees are properly informed of performance or behavioral concerns, that employees receive clear direction regarding the steps that must be taken in order to remediate poor performance or behavior, and that employees are afforded an opportunity to improve.

1. **Informal conference(s)** will be held between the supervisor and the employee to discuss the following: (1) performance standards and behaviors expected on the job; and (2) feedback on any problems regarding job performance or behavior. Supervisors will provide the employee with a written summary of these informal conferences.

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22.4 Progressive Discipline. In most cases correction or remediation of unsatisfactory performance or behavior will be best achieved through the application of progressive discipline – a sequence of escalating actions that includes both corrective steps and disciplinary actions.

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22.6 Steps in Progressive Discipline. The Federation and the District agree that the overall purpose of progressive discipline is to help the employee understand the need for improvement in the employee’s behavior or performance. At each step of progressive discipline, the supervisor will clearly define the actions that the employee needs to take in order to demonstrate improvement. In most circumstances, the following sequence of steps ~~shall will~~ be followed to provide progression of corrective and disciplinary actions for permanent employees:

A. Corrective Steps. Corrective Steps serve as pre-disciplinary actions in the progressive discipline process. Corrective Steps are intended to ensure that employees are properly informed of performance or behavioral concerns, that employees receive clear direction regarding the steps that must be taken in order to remediate poor performance or behavior, and that employees are afforded an opportunity to improve.

1. **Informal conference(s)** will be held between the supervisor and the employee to discuss the following: (1) performance standards and behaviors expected on the job; and (2) feedback on any problems regarding job performance or behavior. Supervisors will provide the employee with a written summary of these informal conferences.

2. **Performance Improvement Plan(s)** (“PIPs”), set forth in Appendix C, will be issued if unsatisfactory performance or behavior persists following informal conference(s). PIPs shall clearly identify the nature of the unsatisfactory performance or behavior, the job standards, rules, policies, and expectations with which the employee is not complying, and shall set forth specific goals and actions which the employee must take, within a prescribed timeframe in order to remediate the performance deficiencies.

Progress in performance/behavior improvement and/or continued performance/behavior deficiencies will be shared with the employee in accordance with the timelines set forth in the PIP.

Employees assigned a PIP, who continue to demonstrate unsatisfactory performance or behavior by the 60-day PIP progress assessment meeting, shall be advised that continued refusal or inability to comply with the PIP will result in a Written Reprimand being issued at the 90-day PIP progress meeting. This advisement will be included in the 60-day PIP document.

3. Written reprimand(s) will be given when there is an insufficient level of improvement following completion of a PIP or previous discussion(s) and warning(s). The reprimand will outline the concerns, expectations, provide direction, and state future disciplinary consequences, should the concerns continue. The written reprimand will be placed in the employee’s personnel file. Prior to the reprimand being placed in the file, the employee will have the opportunity to attach a written response to the reprimand within ten days.

B. Disciplinary Actions.

1. Suspension with pay
2. Suspension without pay

2. **Performance Improvement Plan(s)** (“PIPs”), set forth in Appendix C, will be issued if unsatisfactory performance or behavior persists following informal conference(s). PIPs shall clearly identify the nature of the unsatisfactory performance or behavior, the job standards, rules, policies, and expectations with which the employee is not complying, and shall set forth specific goals and actions which the employee must take, within a prescribed timeframe in order to remediate the performance deficiencies.

Progress in performance/behavior improvement and/or continued performance/behavior deficiencies will be shared with the employee in accordance with the timelines set forth in the PIP.

Employees assigned a PIP, who continue to demonstrate unsatisfactory performance or behavior by the 60-day PIP progress assessment meeting, shall be advised that continued refusal or inability to comply with the PIP will result in a Written Reprimand being issued at the 90-day PIP progress meeting. This advisement will be included in the 60-day PIP document.

~~2. Verbal warning will be given, at a meeting with the employee, if the performance has not improved or the previously discussed behavior has not been corrected. The supervisor providing the verbal warning should clarify expectations and attempt to foster increased understanding of the established standards of performance, and/or behavior.~~

~~3. Written warning(s) will be given if the unsatisfactory performance or behavior persists. The written warning(s) will be presented in a meeting with the employee, unless the employee is absent for an extended period of time. The written warning will outline the performance or behavioral issues, clearly state expectations relating to performance and/or behaviors, and indicate that failure to improve may result in future discipline.~~

3. Written reprimand(s) will be given when there is an insufficient level of improvement following completion of a PIP or previous discussion(s) and warning(s). The reprimand will outline the concerns, expectations, provide direction, and state future disciplinary consequences, should the concerns continue. The written reprimand will be placed in the employee’s personnel file. Prior to the reprimand being placed in the file, the employee will have the opportunity to attach a written response to the reprimand within ten ~~(10)~~ days.

B. Disciplinary Actions.

1. Suspension with pay
2. Suspension without pay

3. Involuntary demotion, reduction in hours, reduction in compensation, or a combination of these actions.

4. Dismissal/termination from employment

C. The Federation and the District recognize that an employee's conduct or behavior may be so severe that it substantially impairs their ability to continue to function in public service, warranting the District to bypass progressive discipline prior to imposing disciplinary action (e.g., Ed Code §87010-87011).

D. The District retains the right to suspend an employee without warning and without following the steps of progressive discipline when it is deemed necessary by the District to protect lives or property, to ensure maintenance of order, or to protect the health and welfare of students or employees.

Andrew Deaso

Andrew Deaso, CFCP President/Date

Marlene Drinkwine

Marlene Drinkwine, Vice Chancellor/Date

Dr. Elizabeth Dorn Parker, Board President/Date

3. Involuntary demotion, ~~or~~ reduction in hours, ~~or~~ **reduction in pay compensation, or a combination of these actions.**

4. Dismissal/termination from employment

C. The Federation and the District ~~also~~ recognize that an employee's conduct or behavior may be so severe that it substantially impairs **their his/her** ability to continue to function in public service, warranting the District to bypass progressive discipline prior to ~~proposing~~ **imposing** disciplinary action (e.g., Ed Code §87010-87011).

D. The District ~~also~~ retains the right to suspend an employee without warning **and without following the steps of progressive discipline** when it is **deemed** necessary **by the District** to protect lives or property, ~~and to ensure~~ **insure** maintenance of order, or to protect the health and welfare of students or ~~other~~ employees.

Andrew Deaso

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