

able to successfully complete the probationary period and to achieve permanent status. To that end, each probationary employee should be evaluated twice during the probationary period, with the initial evaluation being made at approximately 3 months and the second evaluation at approximately 6 months of service. Evaluations shall be made on the regular Classified Performance Evaluation Form and shall be based upon the employee's job performance as well as the other criteria on the Form. Probationary employees have the right to request these evaluations for the above timelines.

11.2.1 The evaluation of a probationary employee should set forth any area or areas of performance that the evaluator determines should be enhanced in order for the employee to successfully complete the probation period. In addition, the evaluator should direct or recommend methods and/or means by which the employee's job performance may be improved.

11.2.2 It is understood and agreed that a probationary employee may be separated from employment at any time during the probation period at the District's discretion. In most cases, a probationary employee should receive at least one written evaluation prior to separation from employment. If the District determines that a probationary employee is to be separated from employment and the employee has not received at least one written evaluation, the District will notify the Exclusive Representative of the affected employee's name and work assignment.

11.2.3 Employees who are promoted into a new position will have a sixty (60) day trial period. The employee must be evaluated at least one time during the trial period. If the evaluation was an overall ranking of Needs Improvement or Unsatisfactory, then they can retreat to their previously held position.

11.3 Prior to placing an evaluation in an employee's file, the employee and the evaluator shall meet to review and discuss the evaluation and any material that is to be incorporated into the file. The evaluation shall be signed by the employee, the evaluator, and appropriate manager. The employee's signature denotes solely that a review of the evaluation has taken place. The employee shall receive a copy of the evaluation and may attach a written statement within 10 days of the meeting. The employee's evaluation, along with any written comments of the employee, shall be placed in the personnel file.

11.4 If the employee disagrees with the evaluation, the employee may request a review by the Vice President of Human Resources and Labor Relations. The Vice President's decision shall be in Writing, shall be attached to the employee's evaluation, and shall be final.

11.5 While a grievance may be filed alleging a violation of the procedural steps of this Article, no grievance may be filed or considered regarding the contents of a written evaluation.

ARTICLE 12 PERSONNEL FILES

12.1 Materials in District personnel files, which may serve as a basis for affecting an employee's employment status shall be available for inspection by the employee or by a representative designated in writing by the employee. Ratings, reports, or records which were obtained prior to the employment of the employee or as otherwise excluded by law shall be excluded from review by the employee or the employee's representative.

12.1.1 An employee may inspect the personnel file upon request, provided that the request and the inspection are made at a time when the employee is not required to render service to the

District.

12.1.2 The Human Resources Office shall maintain a log that indicates the name of any person who has examined a personnel file, as well as the date of any examination.

12.2 Information of a derogatory nature, except information contained in an employee's evaluation and information excluded from review by the employee pursuant to paragraph 11.1, shall not be entered or filed in the employee's personnel file, unless and until the employee is given notice and the opportunity to review and comments thereon. With regard to the placement of an adverse comment or comments in the personnel file of an employee who is employed as a Campus Police Officer, the process is set forth in the Public Safety Officers Procedural Bill of Rights Act (Government Code § 3300 through 3311).

12.2.1 The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

12.2.2 An employee shall have the right to enter and have attached to any derogatory statement, the employee's own comments thereon within 10 days of notification.

12.3 The contents of an employee's personnel file shall be kept in the strictest confidence pursuant to the appropriate provisions of the Education Code and the Government Code.

12.4 While a grievance may be filed or considered regarding a violation of the procedural steps of this Article, the substance of materials contained in any personnel file shall not be subject to the grievance procedure.

12.5 The personnel files of each employee shall be maintained at the District Human Resources Office.

ARTICLE 13 DISCIPLINARY ACTION

13.1 Definition of Discipline

Discipline may be imposed on permanent unit members for just cause. Disciplinary action primarily relies on actions that are progressive which includes employee conferencing/oral warnings, written warnings, written reprimands, demotions, suspensions, involuntary dismissals. The level of severity of discipline should be reasonably related to the nature of the offense committed by the employee and should take into account any prior disciplinary action imposed on the employee. When the incident giving rise to discipline is significant in nature, the resulting disciplinary action may warrant combining or skipping steps in the process. The provisions of this Article apply to permanent, non-probationary workers only.

13.2 Progressive Discipline

Progressive discipline shall generally include these steps. In most circumstances the following sequence of steps shall be followed to provide progression of corrective and disciplinary actions for permanent employees.

13.2.1 Oral Warning/Conference – the first and lowest level of discipline. An informal meeting with the unit member and supervisor to discuss performance/conduct concerns and identify the appropriate actions for improvement. A supervisor shall follow up with a memo that clearly states the cause(s) for discipline, the specific acts of inadequate performance/misconduct giving rise to the discipline, and the expectations for improvement. This memo is not placed in the personnel file.