

Policy Title: Resignations, Layoffs and Dismissals

Impact: Employees

Responsibility: Human Resources

Effective Date:

Last Update:

Relates to Procedure:

Legal Citation(s):

I. Resignations

Full-time classified employees who wish to resign should give at least two weeks written notice. Resignations submitted with less than the specified notice may be accepted with prejudice.

II. Layoffs

Employees may be laid off, in certain circumstances, upon concurrence among the departmental supervisor, vice president of the assigned work area, and the director of human resources. Layoffs may be necessary in the absence of sufficient work or funds, or in the event of a reorganization of a department that results in the elimination of one or more positions.

In cases of layoff the departmental supervisor must provide a minimum of two weeks written notice to the employee.

III. Recall

If the position becomes available within twelve calendar months, the employee will be recalled. If the employee chooses not to return, then voluntary termination procedures will be initiated.

Classified employees on layoff status may apply for other NIC employment during stage one of the employment process. A classified employee may be rehired at a rate of pay other than advertised, if it is agreed to by the employee, departmental supervisor, and the appropriate vice president and the director of human resources.

IV. Dismissal or Suspension

Dismissal means termination of contract or probationary employment. Suspension means an enforced period of absence with or without pay for disciplinary purposes or pending investigation of charges made against an employee. Dismissal and suspension are matters that may be considered under employee grievance procedures.

V. Grounds for Dismissal or Suspension

Any classified employee may be dismissed or suspended for any of the following causes that occur during the period of employment:

- A. Misstatement or deception of material fact in the application for NIC employment.
- B. Failure to perform the duties and carry out the obligations imposed by NIC rules and regulations.
- C. Inefficient, incompetent, or negligent performances of duties.
- D. Failure to obtain or maintain a valid license or certification lawfully required as a condition for employment.
- E. Physical or mental incapacity for performing assigned duties.
- F. Reporting to work under the influence of alcohol or drugs.
- G. Refusal to accept a reasonable and proper assignment from an authorized supervisor.
- H. Any activity that has the purpose or effect of disrupting the working relationships between employees, employees and their supervisors, or employee groups.
- I. Any activity that has the purpose or effect of disrupting the working relationships between NIC or NIC employee groups and non-NIC cooperating agencies, such as suppliers, other educational institutions, and state agencies.
- J. Any verbal or physical conduct which has the purpose or effect of unreasonably interfering with an individual or group's work performance or creating an intimidating, hostile, or offensive work environment.
- K. Habitually failing to report for duty at the assigned time and place, or to work the assigned scheduled hours.
- L. Repeated misuse of sick leave.
- M. Absence without notifying the appropriate supervisor.
- N. Careless, negligent, or improper use/unlawful conversion of NIC property, equipment, or funds.

- O. Unethical practices in an employee's official capacity at NIC, such as accepting personal gifts, favors, or bribes in exchange for undue influence or special advantages.
- P. Unauthorized disclosure of confidential information from official records.
- Q. Conviction of a crime involving moral turpitude.

VI. Dismissal With Notice

Whenever a departmental administrator considers it necessary to dismiss a classified employee, the employee will receive written notification clearly setting forth the specific reasons for the dismissal. Normally two weeks written notice will be given to classified employees, including those on probation. The two weeks written notice shall include accrued annual leave. A copy of the dismissal notice will be placed in the employee's personnel file.

VII. Dismissal Without Notice

A departmental administrator may dismiss a classified employee without notice if physical/mental condition or negligent performance of duties jeopardizes the safety of NIC employees or property, such as being on duty under the influence of alcohol or drugs, impaired ability to operate equipment, or neglecting vital job responsibilities. The employee will receive written notification clearly setting forth the specific reasons for the dismissal. A copy of the dismissal notice will be placed in the employee's personnel file.

VIII. Disciplinary Suspension

A departmental administrator may place a classified employee on immediate suspension, without pay. Such suspensions must not exceed thirty calendar days. The employee will receive written notification clearly setting forth the specific reasons for the disciplinary suspension. A copy of the suspension notice will be placed in the employee's personnel file.

IX. Suspension on Felony Charges

A departmental administrator may place a classified employee on suspension, with/without pay, upon the issuance of an indictment for felony charges relating to conduct outside employment and upon notification of the employee when the felony charges directly affect the nature of the job or the employee's relationship with North Idaho College. Such suspension may remain in effect during the time such charges are pending. Full reinstatement of all benefits and salary to which the employee would have otherwise been entitled will be provided to the employee upon a subsequent finding that the charges or information were without grounds or were dismissed.

X. Suspension for Investigation

A departmental administrator may place a classified employee on suspension with pay, pending investigation of charges that, if substantiated, would constitute proper cause for dismissal. Under these circumstances, the employee may be suspended immediately without prior notice.

The employee will receive written notification clearly setting forth the specific reasons for the suspension. A copy of the suspension notice will be placed in the employee's personnel file.