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TTA Position on Employee Discipline

TTA's position is based on the following guiding principles:

- There may be incidents or situations in which discipline is appropriate or necessary.
- Progressive means to correct employee behavior shall be used.
- The investigatory process must follow a fair process meeting the seven tests of just cause.
- Employees should not be deprived of health and welfare benefits while under suspension.
- All administrators should be trained in how to conduct investigations into allegations of employee misconduct.
- The District shall clearly communicate expectations to all employees and ensure they are consistently applied.

To these ends, TTA adopts the following position regarding Employee Discipline:

TTA believes that a fair discipline process is essential for attracting and retaining high-quality educators who are committed to the success of all students to the Torrance Unified School District (TUSD).

TTA members are subjected to a disciplinary process that is unfair, disparate, and excessively punitive. Currently, administrators are not adequately trained in conducting fair investigations or determining appropriate, corrective disciplinary action. TUSD has a pattern of bad faith behavior and systemic deficiencies regarding application of law, board policy, and the contract.

TTA believes that all investigations shall be conducted fairly and withstand the seven tests for just cause as adopted in the Collective Bargaining Agreement. The seven tests are notice, reasonable rule, fair investigation, proof, equal treatment, and penalty. TUSD has a pattern of failure of multiple tests of just cause. These failures result in unfair, disparate, and excessively harsh treatment of employees. TTA believes that TUSD must adopt clear, consistent protocols that are evenly applied to all employees to correct these systemic deficiencies.

When it is determined that discipline is the proper course of action, per the contract, TUSD shall use progressive principles in deciding on appropriate disciplinary measures. To do so, TUSD must show that the employee could not have learned from a lesser level of discipline, especially if the employee has a long, unblemished history of service to the district. The standards for progressive discipline should be followed. Those standards include taking into account an employee's length of service, their previous performance and conduct, whether the employee was provoked, whether the conduct was intentional, whether the employee knew and understood the rules, whether the employee had a momentary lack of judgement or impairment, and whether the employee acknowledged and showed remorse for any alleged misconduct. TUSD's inappropriate practices of stacking of charges, exaggerating the severity of allegations, and insisting on illegal use of disciplinary actions more than four years old must stop. The District Administration's actions create a hostile work environment in which the employees are in an unsupported, constant no-win situation in which they persistently feel targeted. Administrators are creating openly hostile work environments by using discipline in a weaponized manner instead of in the mutually agreed upon philosophy of corrective action. TTA believes that any necessary disciplinary action should adhere to the goal of changing behavior for the betterment of the employee enabling them to improve their service to students. To do this TUSD must work with TTA to establish a structured corrective action process that is empathetic and clearly sets expectations to all employees that are communicated with clarity and equitably applied.