

Guide to Managing NCWorks Career Center Code of Conduct Violation

Part 1: NCWorks Career Center Code of Conduct Discipline Model

Although other unwelcome or disruptive behaviors warranting possible sanctions may exist, the most frequently occurring typically fall into one of the following three categories: minor infraction, moderate infraction, and serious infraction. To maintain a clear and consistent approach, with regard to disciplinary actions for customer offenses, a three-level discipline model that provides local workforce development boards (WDBs) with guidelines that NCWorks Career Center staff should follow has been provided below. It is expected that staff will utilize their discretion, in conjunction with the guidelines, regarding the assessment and treatment of behaviors exhibited in the Career Center.

Level 1-Unruly (Minor Infraction)

- Behavioral misconduct, not conforming to rules

Consequences: Oral Warning and Expulsion for Rest of Day

Career Center Staff member speaks to the customer and informs him/her of the specific violation of the NCWorks Career Center Code of Conduct. Customer is asked to leave the NCWorks Career Center for the rest of the day.

Document by adding case notes in NCWorks.gov.

Examples:

- Misuse of NCWorks Career Center Resource Area
- Inappropriate or offensive attire
- Food and beverages in undesignated areas
- Unattended children
- Presence of pets other than certified service dogs
- Cell phone calls in the NCWorks Career Center (phones must remain on vibrate)
- Unaccompanied customers outside designated areas

Level 2- Disrespectful (Moderate Infraction)

- Unwelcome or disruptive behavior, disrespectful behavior

Consequences: Statewide Suspension

Customer is prohibited from NCWorks Career Center usage for a minimum of 3 months but does not exceed one year. Customer receives written notice of the statewide suspension. **Document by adding case notes in NCWorks.gov.**

Examples:

- Verbal abuse of staff, other customers
- Repeated violations of the Code of Conduct
- Loud or aggressive verbal or physical behavior
- Viewing inappropriate websites while in the NCWorks Career Center
- Smoking or use of tobacco products (including e-cigarettes)
- Non-job search computer and Wi-Fi use

Level 3- Threatening/Violent (Serious Infraction)

- Destructive behavior, communicating threat, severe harassment

Consequences: Permanent Banishment

Customer will be prohibited from NCWorks Career Center use for life. Customer receives written notice of statewide banishment. **Document by adding case notes in NCWorks.gov.**

Examples:

- Customer or staff safety is at risk
- Verbal or physical threats to harm (a person or property) or kill
- Possession of weapon of any kind
- Illegal drug or alcohol use or possession
- Severe harassment (for example, communicating with customers or staff that a customer has been told not to communicate with, following individuals or stalking)
- Property or equipment damage, vandalism or theft
- Viewing pornography while in the NCWorks Career Center

IMPORTANT

Staff witnessing a violation of the Code of Conduct are required to follow the steps in Part 2 of this Guide to report the incident.

Part 2: Documentation and Reporting Process

Incidents and/or behaviors that lead to the banishment or suspensions of customers from NCWorks Career Centers typically result from violations of the NCWorks Career Center Code of Conduct. In order to assure local consistency with respect to procedures for disciplining disruptive customers, NCWorks Career Center staff are required to follow this *Documentation and Reporting Process* when customers have violated the Code of Conduct. All NCWorks Career Center staff must report any Code of Conduct violations to Career Center leadership immediately. Please reference Commission Policy Statements Migrant and Seasonal Farmworker (MSFW) Complaint System and Appeal Policy Procedures and Customer Complaint Appeal and Resolution Policy for related information.

Step 1: Staff documents the Incident by immediately reporting the incident to Local Career Center leadership (and Law Enforcement Police, Fire, Rescue, Animal Control, etc. as appropriate)

- Career Center leadership should forward a description of the incident to the Division of Workforce Solutions (DWS) Regional Operations Director (ROD), the Workforce Development Board (WDB) Director, and, if the customer is a veteran, the Director of Veteran's Employment Services.
- Staff must add case note of incident in NCWorks.gov.

Step 2: Create a Summary Report

The summary report must include the following elements:

- Incident description generated by Career Center leadership
- Witness statements (signed) or customer email
- Timeline of the event
- Photographs (if available)
- Law enforcement records
- Recommendation of consequences for violation of Code of Conduct
- Draft of proposed banishment letter (See template for banishment letter)
- Forward the completed Summary Report to the DWS ROD, the WDB Director, and the DWS Ombudsman within 24 hours of the incident.

Step 3: Results of Consequences

- A Summary Report is reviewed by the WDB Director and the DWS ROD and a decision is made concerning the appropriate consequences to the customer for the violation(s) of the Code of Conduct. The decision is communicated to the DWS Ombudsman.
- **Concurring that the customer be banished or suspended, the WDB Director and the ROD prepare a draft letter that is then sent to the DWS Ombudsman for review and to obtain the Assistant Secretary's signature.** The letter must identify the specific violations of the Code of Conduct and include the documentation from Step 2.

Step 4: NCSafe/NCPause

- A complete banishment or suspension packet is filed by the DWS Ombudsman. It includes:
 1. A copy of the banishment or suspension letter from the Assistant Secretary that has been mailed (certified) to the customer.
 2. A copy of the concurrence letter from the WDB Director and the ROD.
 3. A complete Summary Report. The complete Summary Report must also be on file with the workforce board.
- The NCSafe/NCPause profile alert in NCWorks.gov allows NCWorks Career Center staff the ability, in real time, to know if a jobseeker is banished or suspended and is not allowed in NCWorks Career Centers. Once the process steps above are completed, the NCSafe/NCPause profile identifier is then added to the customer file by the DWS Ombudsman. The NCSafe/NCPause profile identifier alerts NCWorks Career Center staff that the customer has been banished or suspended. All NCWorks Career Center staff shall receive formal training in the NCSafe/NCPause profile identifier system and sign a notification of completion. All staff partners and contractors are advised to contact their center manager and law enforcement if banished or suspended customers violate the ban. Trespassing charges can and should be filed by Center Management.