

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 area workforce development boards (WDBs) with guidelines that NCWorks staff/partners 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, by phone, virtually, or through similar means.

Level 1-Unruly (Minor Infraction)

- Behavioral misconduct, not conforming to rules

Consequences: Oral Warning and Dismissal from the Center for up to 48 hours

Career Center Staff /partner speaks to the customer and informs them of the specific violation of the NCWorks Career Center Code of Conduct. Customer is asked to leave the NCWorks Career Center for up to 48 hours. Repeated violations of a level 1 infraction may lead to a Statewide Suspension.

All incidents must be documented by adding case notes in NCWorks.gov.

Examples:

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

Level 2- Disrespectful (Moderate Infraction)

- Unwelcomed or disruptive behavior, disrespectful behavior

Consequences: Statewide Suspension

Customer is prohibited from NCWorks Career Center usage for a minimum of up to 3 months but does not exceed one year. Customer receives written notice of the statewide suspension from the Division of Workforce Solutions (DWS). Repeated violations of a Level 2 infraction may lead to banishment from NCWorks Career Center.

All incidents must be documented by adding case notes in NCWorks.gov.

Examples:

- Use of abusive language towards staff or 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 Vaping)
- Non-job search computer and Wi-Fi use
- Multiple Level 1 infractions

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 and that they are trespassed from all NCWorks Career Centers. The Assistant Secretary for Workforce Solutions reserves the right to, upon notification, suspend customers who pose an imminent danger to property, staff/partners or other customers.

All incidents must be documented 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 a 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
- Multiple Level 2 infractions

IMPORTANT

Staff witnessing a violation of the Code of Conduct Policy 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 suspension 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/partners are required to follow this *Documentation and Reporting Process* when customers have violated the Code of Conduct Policy. All NCWorks Career Center staff must report any Code of Conduct violations to Career Center leadership immediately. Please reference Customer Complaint, Appeal, and Resolution Policy-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 DWS Regional Operations Director (ROD), the WDB Director, and, if the customer is a veteran, the Director of Veteran's Employment Services.
- Staff must add a case note of the incident in NCWorks.gov.

Step 2: Create a Summary Report

A summary report is required for banishment and suspension and 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 (if available)
- Recommendation of consequences for violation of Code of Conduct Policy
- Draft of proposed suspension/banishment letter (See template for suspension/banishment/trespassing letter)
- Notify the State via email within 24 hours of the incident.
- Forward the completed Summary Report to the DWS ROD, the WDB Director, and the DWS Ombudsman within two business days of the incident.

Step 3: Results of Consequences

- The 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 Policy. The decision is communicated to the DWS Ombudsman.
- **The WDB Director and the DWS ROD sign a draft concurrence letter that the customer be banished or suspended, that is 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 Policy and include the pertinent facts from Step 2.
- **The Assistant Secretary (or their designee) signs the banishment or suspension letter.** This letter is emailed and mailed to the customer's last known address on file with the DWS. The Assistant Secretary may in their discretion impose additional requirements to return from a banishment or suspension (such as completion of a course or virtual services only/no in-person services). The Assistant Secretary may at any time in their sole discretion initiate a review of a banishment or suspension to consider new evidence and reverse banishment or suspension decisions.
- During the period of Statewide dismissal, suspension, or banishment, as applicable, the customer is trespassed from any NCWorks property, and local law enforcement will be contacted.

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 DWS 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/partners the ability, in real time, to know if a jobseeker is banished or suspended and is not allowed on any NCWorks Career Center property. Once the above steps 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/partners 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.
- The date and duration of the banishment or suspension must be documented in NCWorks as a case note by the DWS Ombudsman.