

Chapter 10: Disciplinary Policy

Section 10-1: Policy

It is the policy of the County to discourage behavior that violates rules, policies, procedures, acceptable standards of ethical conduct, regulations, or laws, or that results in unacceptable performance. Disciplinary action is to be in proportion to the seriousness of the violation. Supervisors are primarily responsible for beginning the disciplinary process when situations that warrant discipline occur.

Section 10-2: Purpose

The primary purpose of discipline is to supplement and strengthen self-discipline within each individual and within each work group. It is the County's intention to foster an employment relationship with high morale that promotes self-discipline in every employee and group discipline within every work team.

Section 10-3: Reasons for Disciplinary Measures

Reasons for discipline include, but are not limited to, the following:

- Commission of any act constituting a crime under Federal or State law or County ordinance while on County time or property, or of such a nature (including a violation of law) as to indicate unfitness or unsuitability for continued employment in the particular position, regardless of where or when such act is committed.
- Disregard for work or safety rules.
- Failure to follow County or department policies or procedures whether the same are established in writing or by standard practice.
- Failure to meet job standards.

- Falsification or improper use of County records.
- Gambling on County time or property.
- Incompetence or inefficiency in the performance of required job duties.
- Insubordination.
- Lying, cheating, or stealing in any of the forms these might take.
- Misuse of position with the County.
- Placing property or persons at risk of injury.
- Possession, use, distribution or sale of, or reporting to work under the influence of, alcohol or controlled substances. The term “controlled substance” means any drug, narcotic, or other substance that the use or possession of is prohibited or controlled by federal or state law or regulation.
- Provoking, instigating, or participating in a fight while on duty or on County property.
- Refusal to comply with reasonable instructions from an authorized supervisor.
- Recurring tardiness.
- Sleeping on the job.

- Use of offensive, abusive, threatening, coercive, indecent or discourteous language towards supervisors, other employees, or members of the public.
- Violation of the County's harassment policy set forth in Chapter 13.
- Weapons possession and/or physical violence.
- Willful or negligent damage to County property.

The preceding examples are intended only as guidelines and disciplinary action is not limited to these offenses.

Section 10-4: Use of Disciplinary Measures

Graduated forms of discipline will frequently be used in addressing disciplinary matters. Employees will often be informed and reminded about accepted standards and rules of conduct before more severe disciplinary action is taken. However, even in the absence of prior disciplinary measures, any infraction may incur serious disciplinary action up to and including termination.

Section 10-5: Available Disciplinary Actions

The following measures of discipline are established, and, unless otherwise specifically provided, are documented on prescribed forms available from the Human Resources Department. Department Heads must approve any disciplinary measure imposed beyond a verbal warning, including dismissals.

a. Verbal Warning or Reprimand

This measure may be imposed by the immediate supervisor and is used in situations where the violation is considered to be minor and the warning or reprimand

can be expected to resolve the problem or alert the employee of expected future conduct and the consequences of reoccurrence of the behavior in question. Verbal warnings or reprimands are not documented for any official file, but shall be noted in writing by the supervisor for the supervisor's use in the event that further discipline is needed.

b. Written Warning or Reprimand

This measure is used for more significant first violations or repeated minor infractions. Employees are advised that the behavior must improve or further specified action will be taken.

c. Suspension

Suspension for up to ten (10) days without pay may be used when a more serious violation occurs or when previous warnings have not succeeded in bringing about the desired change in the employee's behavior. For suspensions without pay of five (5) days or longer, the employee shall be notified in writing of the reasons for the proposed suspension and shall be afforded an opportunity to schedule an administrative hearing with the Department Head prior to the proposed effective date. In order to comply with the Fair Labor Standards Act, in situations other than safety rule violations of major significance or violations of workplace conduct rules, employees designated as exempt must be suspended in increments of days that represent a full workweek. In certain appropriate cases, suspension with pay may be imposed.

d. Demotion or Salary Reduction

These measures may be used in place of, or in addition to, suspensions when dealing with violations deemed serious enough to otherwise warrant a suspension.

e. Dismissal

This measure is used for the most serious violations or when other measures have failed. The Department Head, prior to dismissing an employee, shall compile the complete disciplinary record and forward it to the Director of Human Resources. Prior to any final decision concerning the dismissal of a non-probationary employee, the Department Head shall conduct an administrative termination hearing, if requested by the affected employee, to determine whether the charges leading to the recommendation for dismissal are founded. (See Chapter 12 on Separation and Termination.)

Section 10-6: Review of Proposed Action

In each instance of the imposition of a disciplinary action beyond a verbal warning or reprimand, a copy of the prescribed disciplinary form must be sent to the Director of Human Resources for inclusion in the employee's official personnel file. To assure the consistency of discipline throughout the County workforce, all disciplinary actions beyond verbal warnings must be reviewed for compliance and consistency by the Director of Human Resources prior to approval by the Department Head. The Director of Human Resources shall keep the County Administrator informed of current disciplinary actions.