

Progressive Discipline Procedures Policy



Applies only to Board of Commissioners Employees

Effective Date: Adopted 6/92 Revised 9/98, 4/06

§-I. PURPOSE To provide guidance to supervisors regarding progressive discipline procedures that are designed to direct the behavior of employees.

§-II. SCOPE Board of Commissioners' Employees.

§-III. POLICY When corrective or disciplinary action is deemed necessary, the type of discipline will be determined by the nature and circumstances of the violation. Under appropriate circumstances, progressive steps of discipline should be utilized to assist employees in addressing problems and to nurture their growth. Disciplinary action should not be intended to degrade the employee, but rather to assist the employee or to correct a problem. Discipline should be progressive when appropriate; however, some violations warrant immediate suspension or dismissal without prior disciplinary action.

§-IV. PROCEDURES

A. Appropriate corrective or disciplinary action may be administered by an employee's supervisor, division manager, Department/Agency Head, depending on the step, or level, of discipline.

B. Appropriate corrective or disciplinary action should be determined based on factors, including, but not limited to, the nature, severity, or frequency of the violation; the degree of deviation from expectations; the discipline taken by the decision-maker for the same or similar violations; and the individual's employment record.

C. Corrective or disciplinary action may take place in several forms. When progressive action is determined to be appropriate, the steps may include some, but not necessarily all, of the following steps of discipline:

1. **Verbal Warnings or Counseling Sessions** may take place in situations that are less serious in nature and are not recurring. Efforts to determine and resolve the cause of the problem should be made at this stage. The employee should be advised that s/he is receiving a formal warning. Documentation of the verbal warning or counseling session should be made and maintained in departmental files.

2. **Written Reprimands** are generally used to address situations that are less serious in nature but have recurred, even after a verbal counseling session, and in situations that are more serious in nature than those warranting only a verbal warning or counseling session. Copies of written reprimands should be distributed to the employee, to Human Resources for inclusion in the employee's file, and maintained in the departmental file.

3. **Suspensions** are more severe actions that should be used for the constructive improvement of employees. Suspensions should be issued when it is determined that an additional warning or reprimand is not appropriate **or** when an incident is too severe for a warning, but not sufficiently severe for demotion or dismissal.

Depending on the circumstances, suspensions may vary in length, but ordinarily may not exceed thirty (30) days. Suspension notices should indicate the reason(s) for the discipline, the dates of the suspension, and the employee's right of appeal, if any.

If a suspension does not produce the desired results, consideration should be given to a lengthier suspension, demotion, or dismissal of the employee. Copies of suspensions should be distributed to the employee, to Human Resources for inclusion in the employee's file, and maintained in the departmental file.

4. **Demotions** are corrective or progressive disciplinary actions that result in a change of the employee's assignment from a position in one classification to a position in another classification with a lower pay grade. Demotion may be used when an employee is unable to successfully perform in his/her current position, but may be capable of performing satisfactorily in another position. Demotion may also be used to remove an individual from a supervisory position based on performance or conduct issues that make the employee an unfit supervisor. Demotion may also be appropriate for other serious or recurring conduct and/or performance deficiencies. Copies of demotion letters should be distributed to the employee, to Human Resources for inclusion in the employee's file, and maintained in the departmental file.

5. **Dismissals** should result when the employee commits an extremely serious offense(s) or fails to perform a critical duty, for which immediate discharge is warranted; **or** when other disciplinary measures have been attempted but failed; **or** when the employee is unfit to perform his/her assigned duties; **or** when the employee abandons his duties or position; **or** where the employee's continued employment poses a threat to the security and well-being of the County or its employees. Examples of conduct that will ordinarily result in immediate dismissal are: violation of the *Drug-Free Workplace Policy*, fighting on County property, carrying a weapon without a business purpose on County property, theft or embezzlement, intentional harassment, falsification of records, threats or acts of violence, gross insubordination, and destruction or misuse of County property. Copies of dismissal letters should be distributed to the employee, to Human Resources for inclusion in the employee's file, and maintained in the departmental file.

D. Before imposing written reprimands, suspensions, demotions, or dismissals, Department/Agency Heads or their designees should contact Human Resources and/or the County Attorney's Office for review and advice.

E. Corrective or disciplinary action should be conducted privately with the employee. Those in attendance should be limited to the decision-maker and a member of management.

F. In certain cases, an investigation may be necessary to determine whether disciplinary action is appropriate. In these cases, the employee may be placed on administrative leave for a period not to exceed ten (10) working days. For administrative leave to continue beyond ten (10) days, the Department/Agency must consult with Human Resources and/or the County Attorney's Office and must obtain approval from the County Manager.

G. Civil Service employees cannot be suspended without pay for more than thirty (30) calendar days in one calendar year without approval of the Civil Service Board. A suspension may be extended for up to ninety (90) additional calendar days only with the approval of the Civil Service Board.