

DISCIPLINE

A. Cause for Disciplinary Action

County employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities. It shall be the policy of the County to administer disciplinary penalties without discrimination of any nature. All disciplinary action shall be for just cause, and the employee has the right of review through the grievance procedure of any disciplinary action which he/she believes to be unjust. The department head shall investigate all allegations before disciplinary action is taken.

An adequate reason of "cause" for a disciplinary action shall include, but not be limited to, each of the following kinds of conduct:

1. Conduct or performance on the job which indicates a lack of ability to adequately perform the duties of the position or classification held by the employee.
2. Conduct or performance on the job which indicates a failure to produce the quality of work the position or classification requires.
3. Conduct or performance on the job which demonstrates insubordination, which is defined as a refusal to follow written or oral procedures, instructions, or direction from a supervisory employee or department head.
4. The solicitation or acceptance of money or anything of value to influence the decisions of an employee in public matters or as a reward for such decisions.
5. Any employee found drinking an alcoholic beverage or being under the influence of a non-prescribed controlled drug on the job.
6. Conduct or performance on the job which demonstrates a deliberate attempt to cause poor morale or disrespect among County employees by action or attitude on the job.

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7. Verbal or physical abuse or improper treatment of an inmate, client or employee of any County department.
8. Habitual or excessive tardiness in reporting for scheduled working hours.
9. Being absent from a scheduled work assignment during working hours without permission from an authorized supervisory employee or department head.
10. Stealing, misappropriation or conversion of County property or the property of other employees or clients of any County department.
11. The willful violation of any departmental or County rule or regulation which has been adopted in written form and is known or reasonably should be known, by the employee involved.
12. Has engaged in political activities as outlined in the Political Activities Section within this policy book.
13. Has been convicted of a felony that is job related.
14. Has been convicted of a misdemeanor involving moral turpitude or casting doubt on the employee's ability to properly perform his/her job.
15. Willfully violated or neglected the Safety Program Policy.
16. Willfully violated or neglected the Interim Policy on Drugfree Workplace.
17. Carrying, storing, or otherwise possessing a firearm or dangerous weapon at the workplace, in a county vehicle or while conducting county business is prohibited. Licensed peace officers who carry a dangerous weapon for work purposes are exempt from this prohibition.

Exceptions to the Weapons Policy shall be submitted to the Risk Management Commission for review and recommendation. Following this review, standard procedures will be followed for formal policy

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approval.

18. Department managers who violate the 67-day rule. (05/12/1992 County Board action "Commissioner Braford moved the Department Heads be put on notice that they are responsible for the 67-day rule and disciplinary action will be taken if this rule is violated. Commissioner Williams seconded the motion. Motion carried.")

B. Types of Disciplinary Action

1. ORAL REPRIMAND. This is an action taken by a department head in which he tells an employee about the action or behavior which he wishes the employee to change, cease or begin. Oral reprimands cannot be used as the only justification for dismissal; however, oral reprimands should be documented and that documentation reviewed with the employee.
2. WRITTEN REPRIMAND. This is an action taken by a department head in which he/she writes out the action or behavior which he/she wishes the employee to change, cease or begin. The written reprimand shall describe in detail the behavior to be corrected, and shall give direction and orders for the future, and will point out the consequences of repeating the action which brought about the written reprimand. The written reprimand shall be signed by the department head and presented in person by the department head or authorized subordinate. The employee shall sign all copies to acknowledge receipt; if he/she refuses, the presenter shall note it on the form. A copy of the written reprimand shall be retained by the department and a copy sent to the Human Resources Department where it will be placed in the employee's file. Written warnings are the first formal stage of progressive discipline.
3. SUSPENSION WITHOUT PAY. This is an action taken by a department head which removes an employee from employment in his/her department and from County payroll for a definite period of time. Suspension without pay is next in severity and is the second formal stage in progressive discipline. This action

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does not require the employee's consent to place him/her on such a suspension without pay. The employee does not accrue salary, annual leave credit or sick leave credit, nor is the employee entitled to use such time while on suspension. The employee's anniversary date with the County shall be adjusted by the number of days for which he/she is suspended for the purpose of step increases and longevity payments.

During suspension, the employee must make direct payments to maintain his/her insurance coverage.

At the end of the suspension, the employee shall return to the payroll at the same department classification and salary as when he/she was suspended. If through the appeal process, the suspension is found to be without cause, back pay and benefits will be reinstated.

4. DISCHARGE FOR JUST CAUSE. This is an action taken by a department head which separates an employee from County service. Employees considered for dismissal, when it has been determined that the employee is to be dismissed, shall receive a written notice verifying dismissal within five (5) days after the effective date of dismissal. The notice shall state the reasons for dismissal, the employee's right as established by County policy and, if the employee is a Veteran, special rights as outlined by the Veteran's Preference Law.

No employee shall be dismissed without just cause. Evidence of, but not limited to the following, shall be just cause for dismissal:

- a. Incompetence or inefficiency in the performance of duties.
- b. Willful misconduct or insubordination.
- c. Carelessness or negligence in the handling or control of County property.
- d. Excessive absenteeism or the failure to report to work without just cause for three (3) consecutive

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days.

- e. Dishonesty in the performance of duties.

C. GUIDELINES FOR DISCIPLINARY ACTION

The following guidelines are intended to provide a uniform discipline policy for ALL county personnel. The discipline process outlined for the infractions listed in the guidelines is presented only as a SUGGESTED COURSE of action and all steps taken may not necessarily be taken in the order presented. The seriousness of the offense will govern each situation and the steps taken. Corrective action taken by a disciplining authority must be adapted to meet the requirements of a reasonable and just response to the infraction. The guidelines serve as examples of accepted disciplinary practice in county employment. Each department of the County may also establish work rules unique to its operations which are to be observed in addition to these guidelines.

NOTE: In disciplining an employee, the department head is not restricted to proceeding through each of the above-mentioned steps. The severity of the misconduct shall determine the type and series of disciplinary actions.

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11/01/96; 06/26/01; 12/17/2001-included the 05/12/1992 County Board action

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GUIDELINES

The following guidelines are intended to provide a uniform discipline policy for all county personnel. The discipline process outlined for infraction of any one rule below is presented as a SUGGESTED course of action. Each case of misconduct or negligence is unique in the circumstances and consequences of the incident, and therefore any corrective action taken by a disciplining authority must be adapted to meet the requirements of a reasonable and just response to the offense. The guidelines serve as examples of accepted disciplinary practice in county employment and are to be considered as a basic code of conduct for employees. Each department of the county establishes work rules unique to its operations which are to be observed in addition to these guidelines.

Rule/ Infraction	First Offense	Second Offense	Third Offense	Fourth Offense	Fifth Offense
1. Repeated tardiness, leaving working early, or extended coffee and lunch breaks, without reasonable cause	Oral Warning	Written Warning	One day suspension	Three day suspension	Discharge
2. Falsifying county records	Discharge				
3. Theft or embezzlement of county property or funds	Discharge				
4. Carelessness or negligence jeopardizing the safety of personnel or the public	Written Warning	Three day suspension or discharge	Discharge		
5. Harassment, coercion or malicious intimidation of fellow employees during duty hours or on county premises	Written warning	Three day suspension or discharge	Discharge		
6. Provocation or instigation of physical violence during duty hours or on county premises	Written warning	Discharge			

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7. Consumption of alcohol or the abuse of drugs during duty hours or on county premises; or, reporting for duty when obviously under the influence of alcohol or drugs	Refer to Employee Assistance Program and send home (do NOT allow to drive but provide alternative means). No pay.	Refer to Employee Assistance Program. Five day suspension if proof of appointment for counseling not submitted within 10 working days. Send home (Do NOT allow to drive but provide alternative means). No pay.	Discharge		
8. Violation of a safety rule or practice	Oral warning	Written warning	Three day suspension or discharge	Discharge	
9. Rudeness or discourteous behavior towards customers/public	Oral warning.	Written warning.	Three day suspension	Ten day suspension	Discharge
10. Sleeping on the job site during duty hours	Written warning	Three day suspension	Discharge		
11. Insubordination: refusing to obey instructions; gross negligence in not carrying out instructions; abusive language directed at supervisor; misconduct	Written warning	Three day suspension	Ten day suspension or discharge	Discharge	
12. Unauthorized absence from job site	Written warning	Three day suspension	Discharge		

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13. Failure to call in sick prior to beginning of duty shift	Oral warning	Written warning	One day suspension	Five day suspension or discharge	Discharge
14. Accepting monetary or material goods in return for county services	Discharge				
15. Performing services or providing materials or equipment to citizens without authorization	Written warning	Discharge			
16. Transporting unauthorized persons in a county vehicle or unauthorized use of a county vehicle	Written warning	Three day suspension	Discharge		
17. Driving county vehicle without proper license or after revocation	Written warning	Discharge			
18. Releasing confidential or protected information without authorization	Written warning	Discharge			
19. A. Destruction of county property due to negligence B. Or malicious intent	Written warning Written warning	Five day suspension Discharge	Discharge		
20. Abuse of sick leave	Written warning	Three day suspension	Discharge		
21. Committing traffic violations while operating county vehicles or equipment	Oral warning	Written warning or three day suspension	Discharge		

SOURCE: Ferdinand F. Fournies. COACHING FOR IMPROVED WORK PERFORMANCE, Van

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COACHING ANALYSIS: What is influencing unsatisfactory performance?

STEPS OF COACHING TECHNIQUE

Identify unsatisfactory performance		
Is it worth your time and effort?	No->	Don't waste your time on it
Yes V		
Does subordinate know performance is unsatisfactory?	No->	Let subordinate know; provide feedback
Yes V		
Does subordinate know what is supposed to be done and when?	No->	Let subordinate know- work planning
Yes V		
Are there obstacles beyond subordinate's control?	Yes->	Remove obstacles
No V		
Does subordinate know how to do it?	No->	Train subordinate and/or provide practice

Get his or her agreement that a problem exists
Mutually discuss alternative solutions
Mutually agree on action to be taken to solve problem
Follow up to measure results
Recognize any achievement when it occurs

Yes V		
Does negative consequence follow performance?	Yes->	Change consequences or transfer subordinate
No V		
Does positive consequence follow nonperformance?	Yes->	Change consequences
No V		
Could subordinate do it if he or she wanted to?	No->	Transfer or terminate subordinate
Yes V		
Redirect subordinate's behavior through coaching		