

WALLACE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

6.0 DISCIPLINE

6.1 Authority to Discipline

Department heads and elected officials are responsible for the conduct and effective performance of all employees under their jurisdiction and shall have the authority and the responsibility to discipline employees for violations of the County's personnel policies and any departmental guidelines.

6.2 General Policy

The purpose of discipline is to ensure high standards of performance and efficiency, and to provide the citizens of the County with the highest possible level of courteous and professional public service. Discipline in the county organization is for the most part "self" discipline. It is the duty of employees to make conscientious effort to work and behave in accordance with the values, service standards, policies and guidelines of the county and the department in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he/she does and in helping the county provide a high level of public service.

When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of his/her job, it may be necessary for his/her department head or supervisor to consider disciplinary actions to correct the problem.

An employee is subject to disciplinary action if:

- A.** The employee violates these personnel policies and guidelines, or any other written guidelines or procedures applicable to the department in which the employee works;
- B.** The employee's conduct reflects discredit to the County or hinders the effectiveness or efficiency of County operations;
- C.** The employee has performed an act of misconduct or has failed to perform an act that results in misconduct.

The foregoing grounds do not represent an exclusive list of employee conduct that may justify disciplinary action.

6.3 Disciplinary Actions

The following types of disciplinary actions are officially recognized by the Board of County Commissioners but are not required to be administered in a sequential fashion:

- A. Verbal Warning.** Verbal warning is an oral reprimand given to an employee by his/her supervisor or department head. A record of the warning shall be recorded in the employee's file.
- B. Reprimand.** A reprimand is a written censure to an employee by his/her supervisor or department head, a copy of which shall be recorded in the employee's file. Causes for the issuance of a written reprimand may include, but are not limited to:
 - 1. Violation of any County personnel policy or procedure.
 - 2. Action unbecoming an employee of the County that reflects on the County adversely.
 - 3. Insubordination to his/her office or department head or supervisor or a Wallace County Commissioner or the Board of County Commissioners.
 - 4. Careless or negligence with monies or other property of the County.
 - 5. Engaging in outside business activities on County time or using County property for such activity.

The foregoing is not an exclusive list.

- C. Training.** Training is a trial period of no more than ninety (90) calendar days during which an employee is required to fulfill a set of conditions, or to improve work performance, or to improve on the job behavior. Failure to meet the training requirements may result in additional disciplinary actions.
- D. Salary Reduction.** A salary reduction is the lowering of an employee's rate of pay within the pay range to which the employee's position is assigned.
- E. Demotion.** A demotion is the placement of an employee into a position of a lower pay range.
- F. Suspension.** A suspension is the removal of an employee from service, with or without pay, for a specific period of time.
- G. Termination.** Termination is the removal of an employee from County employment.

The foregoing does not represent an exclusive list of disciplinary actions and other forms of action may be taken. Disciplinary actions are not taken in a prescribed sequential order, but are chosen as the circumstance may dictate. One or more types of disciplinary action may be taken in a particular instance or instances.

6.4 Procedure for Disciplinary Action

Whenever the conduct of an employee occurs that in the judgement of the employee's supervisor or department head justifies the application of disciplinary actions, other than a verbal warning, the supervisor or department head shall:

1. Document the conduct in writing.
2. Determine the disciplinary action.
3. Meet with the employee to inform him/her of the problem and the proposed disciplinary action.
4. Give the employee an opportunity to be heard as to the problem and his/her explanation of the facts. The employee may submit comments in writing to be attached to the record of the disciplinary action to the department head.
5. Make a decision as to the disciplinary action and notify the employee of the action in writing, except for verbal warnings. A copy of the documentation of the conduct and a note as to the form of disciplinary action taken shall be provided for insertion into the employee's personnel file.

6.5 Conduct Subject to Disciplinary Action

The following is a list of conducts that may subject an employee to disciplinary action, up to, and including termination. *The list is not exclusive; it is only representative of the types of conduct that subject an employee to disciplinary action.*

1. Conviction of a violation of any state or federal criminal law.
2. Conviction of a violation of any County law.
3. Failure to follow prescribed safety procedures including failure to notify his/her supervisor of unsafe working conditions.
4. Violation of personnel policies and guidelines or departmental policies and guidelines.
5. Inattention to duty, carelessness, breakage or loss of public property or funds.
6. Incompetence or inefficiency in the performance of the duties of his/her position.
7. Insubordination or other breach of discipline.
8. Discourteous or disruptive conduct or other offensive behavior in public, to the public or to employees and officers of the County.
9. Abuse of leave, excessive absenteeism or tardiness.
10. Temporarily leaving the work place without the approval of his/her supervisor.
11. Failure to give proper notice of absence.
12. Sleeping on the job.
13. Use of alcohol or drugs, off the job, to the extent that the employee's job performance or effectiveness as a County employee is impaired.
14. Inducing or attempting to induce any officer or employee of the County to commit an unlawful act or to act in violation of any lawful or official order or regulation.
15. Unauthorized possession of firearms or other weapons on the job.
16. Conviction of a felony or conviction of driving under the influence while operating a County vehicle.

- 17.** Willful or continued violation of County or departmental safety policies and procedures or willful or negligent creation of unsafe conditions in the workplace.
- 18.** Willful or continued violation of personnel policies and guidelines or departmental guidelines.
- 19.** Negligent or willful damage to public property or waste of public supplies or equipment.
- 20.** Taking or using any funds or property of the County for personal use or for sale or gift to others or the making of any false claim against the County.
- 21.** Gross incompetence, neglect of duty or willful or continued failure to render satisfactory service.
- 22.** Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or department head or knowingly making a false statement to any employee or officer of the County.
- 23.** Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
- 24.** Absence without leave.
- 25.** Possession or use of controlled substance, alcohol or drugs, except where prescribed by a physician, or except where the substance can be purchased over-the-counter, after being afforded the opportunity to seek professional attention, or use of alcohol or drugs, except where prescribed by a physician, while on duty. Sale of or offering for sale or giving away alcohol or prescribed drugs while on duty or at the workplace.
- 26.** Sexual harassment.
- 27.** Disclosing confidential records or information unless directed to do so by his/her department head or supervisor.
- 28.** Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of County employment.
- 29.** Material falsification of application for County employment or making a false statement or report in regard to any test, certification or appointment or any attempt to commit any fraud that violates the merit principles of personnel administration.
- 30.** Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or in connection with, any test or appointment.
- 31.** Taking or offering to take from any person for the employee's personal use, any fee, gift, or other thing or service of value, in the course of his/her work or in connection with it, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; accepting a bribe, gift, money or other thing of service or value intended to perform or refrain from performing any official act; engaging in any act of extortion or other means of obtaining money or other things or service of value through his/her position in the service of the County.
- 32.** Discharge of duties in a manner that results in discrimination to any person on the basis of race, creed, color, sex, age, physical or mental disability or national origin.

In the case of acts of violence or other flagrant misconduct, serious safety violations, or criminal offense, any employee may be suspended immediately, with or without pay, pending on investigation and review of the matter.

An employee may be suspended with pay when he/she has been arrested for a crime and is awaiting legal adjudication. An employee may be suspended with pay when he/she has been charged with misconduct while on the job and an internal investigation is being conducted.

6.6 Resignation

An employee who desires to terminate his/her service with Wallace County is requested to submit a written resignation to his/her supervisor or department head. Wallace County would appreciate but does not require at least two- (2) week notice of the employee's resignation.

6.7 Exit Interview

Upon termination, all terminating employees will be entitled to an exit interview with the Board of County Commissioners. The main reason for this interview is to be certain that the reasons for the employee's termination are not founded on a misunderstanding or erroneous information that might be corrected by either Wallace County or the employee. Additionally, terminating employees have certain rights under the fringe benefits program that may require explanation.