

PROGRESSIVE DISCIPLINE POLICY

Justice Court, Precinct 1



Progressive Discipline Policy

Purpose

Justice Court, Pct. 1's goal is to provide an environment that is pleasant, productive, and conducive to every employee's success. We encourage positive thinking, open communication, and new ideas while holding people accountable and celebrating their success. We believe that laughter is the best medicine and, therefore, promote team building and positive attitudes.

Justice Court, Pct. 1's progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

Outlined below are the steps of Justice Court, Pct. 1's progressive discipline policy and procedures. Justice Court, Pct. 1 reserves the right to combine or skip steps depending on each situation's facts and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, training, the employee's work record, and the impact the conduct and performance issues have on the court.

The following information regarding the County's progressive disciplinary system is as follows:

Civil Service Rules 7.03 - Verbal Reprimand, First and Second Level Discipline. Prior to suspension, demotion, or termination, the Appointing Authority depending on the severity of the employee's actions may use lesser forms of disciplinary action. However, nothing in this paragraph shall prohibit the Appointing Authority from proceeding to the third level of discipline that includes suspension termination or demotion, if the employee commits a major offense that warrants such discipline.

The lesser forms of action that maybe taken against the employee include:

- A. Verbal reprimand - The least severe form of disciplinary action which is designed to advise the employee of the problem which has resulted in unsatisfactory behavior or performance. The supervisor should retain documentation of the verbal reprimand, which is signed by the employee, although no copy should be placed in the employee's personnel file. A copy should also be given to the employee.
- B. First Level Discipline - The first formal step in progressive discipline. This level deals with continuation of minor offenses, when verbal reprimands do not result in the correction of the problem by the employee - This level of discipline should be documented and signed by the supervisor and employee and allow for the employee to respond. Documentation should be distributed to the employee, Human Resources and the immediate supervisor.
- C. Second Level Discipline - This level of discipline deals with serious offenses or continuation of minor offenses that were not corrected in the first level of discipline step. The second level of discipline may be used without the use of first level discipline when the offense is serious enough to warrant it. This level of discipline should also be documented in writing and include the signatures of the supervisor and the employee. The employee should also be allowed to respond

in writing to the discipline. Documentation should be distributed to: the employee, the supervisor, and the employee's personnel file.

7.04 Third level of discipline. This third level of discipline deals with major offenses or a continuation of serious offenses that were not corrected in the first or second level of progressive discipline. This level may be used without the use of the first or second level when the severity of the offense makes this level of discipline appropriate. Discipline that may be administered at this level includes:

- A. **Demotion.** The movement of the employee from their present position to one with a lower starting salary. A demotion also results in salary reduction of at least 5% OR the maximum of the new grade as outlined in the Salary Administration Guidelines.
- B. **Suspension:**
 - 1. **With Pay.** This is an ordered absence from duty while in full pay status for a prescribed period of time. Suspension with pay may be used if any of the following situations occur:
 - a. Concern that an employee's continued presence in the workplace could result in an immediate threat or harm to the employee, co-workers, or the public;
 - b. During an active investigation where it's in the best interest of the department and County to have the employee away from the work location; or
 - c. In cases where an examination may be required to assess an employee's fitness for duty.
 - 2. **Without Pay.** This is an ordered absence from duty without pay for a prescribed period of time. This level of discipline requires a written notice and the right of the employee to respond before the suspension occurs. Suspensions without pay for exempt employees must be for one (1) or more full workdays.
- C. **Termination.** This is the most severe action of all - Removal from the public service for misconduct or unsatisfactory job performance.

7.05 Documentation of Disciplinary Action.

- A. Any officer or employee in the classified service may be removed, suspended or reduced in rank or compensation by the Appointing Authority after the probationary period has been served by an order in writing stating the following:
 - 1. The cause for the discipline.
 - 2. The specific reason supporting the cause.
 - 3. The discipline to be imposed.
 - 4. The effective date, and
 - 5. The right of the employee to appeal to the Civil Service Commission for an appeal of this order (refer to Chapter VIII).
- B. The items in A (1-4) above should also be used for documenting first and second level reminders.
- C. Prior to termination a non-probationary employee will be given written notice of the charges and the opportunity to respond to the charges either orally or in writing. Exceptions to the right of rebuttal will occur when the employee's termination occurs as a result of the exhaustion of leave without pay benefits or when termination occurs as a result of the employees failure to report to work for one (1) working day without notification to the supervisor.

- D. A final decision letter should then be forwarded to the employee after the employee's response along with the notice of the employee's right to appeal the decision to the Civil Service Commission.
- E. The final decision letter shall be filed with the Civil Service Commission and a copy thereof shall be personally served on the employee forthwith or mailed to the employee's usual place of residence.
- F. Any order removing, suspending or reducing an employee in rank or compensation should be considered to have been filed with the Commission when it has been received by the Secretary of the Commission or designated agent.

Employee Initial

Court Manager Initials