

SECTION 29

CORRECTIVE ACTION*

PURPOSE: To set forth the behavioral standards for employees and clarify the potential corrective action that may be taken when employees violate rules of County conduct and performance standards.

POLICY: Each supervisor is charged with ensuring adherence to the County's Policies and Practices Employee Manual within their area of responsibility.

GENERAL ADMINISTRATION:

1. Each Department Director, with approval of the County Manager, shall provide to all employees clearly defined department objectives and work performance standards, including department rules of conduct. Corrective actions should be documented in writing with a copy placed in the employee's personnel file.
2. The County will follow progressive corrective action in the following manner:

First Offense	-	Oral Warning
Second Offense	-	Written Warning
Third Offense	-	Suspension without pay
Fourth Offense	-	Termination

An employee may be subject to demotion, suspension or termination for other causes even though the cause is not enumerated in subsections 3 or 4 below. Nothing herein prohibits the demotion, suspension or termination of an employee without cause.

3. The "misconduct" or "conduct" for which an employee may be subject to progressive corrective action is not limited to willful misconduct. Corrective Action may be imposed for any conduct which falls short of what an employer may reasonably expect and require of an employee. Progressive corrective action may be imposed for offenses such as, but not limited to:
 - a. tardiness
 - b. absenteeism of one day without notification
 - c. discourtesy
 - d. horseplay
 - e. substandard performance

- f. failure to notify supervisor of an on-the-job injury or accident
- g. smoking in a prohibited area
- h. creating or contributing to poor housekeeping
- i. misuse of County equipment
- j. inadvertent or isolated violation of the rules of the Department or standards of conduct (other than “serious” misconduct which results from a lack of good judgment).
- k. violation of a safety policy, procedure or rule.
- l. violation of Parking Policy.

Each violation shall be considered individually in determining the appropriate corrective action.

- 4. Serious misconduct may result in non-progressive corrective action, up to and including termination. Examples of serious misconduct offenses which may warrant discharge or non-progressive corrective action are listed below:
 - a. incompetence or substandard job performance
 - b. inefficiency in the performance of an employee’s duties
 - c. offensive conduct (harassment, rudeness, profanity, etc.) or conduct which disrupts the work place
 - d. insubordination
 - e. solicitation or taking for personal use a fee, gift or other valuable thing in the course of work, or in connection with it, when such fee, gift or other valuable thing so solicited or taken might be construed as receiving a favor or obtaining better treatment than that accorded other persons, either on a present or future basis
 - f. failure to immediately notify supervisor when information has been filed by a prosecuting official against them for a violation of law, including moving violations, has been indicted by a Grand Jury, or incarcerated and/or charged with any unlawful act
 - g. conviction of or pleading no contest to a felony or first degree misdemeanor or other serious crime including, but not limited to, DUI, DWI
 - h. inattention to duty or carelessness
 - i. excessive tardiness or absenteeism

- j. at-fault, on-the-job accident resulting in personal injury or injury to others
 - k. attempting to use political influence in order to affect any term or condition of employment
 - l. dishonesty
 - m. immorality or other conduct, on or off duty, which could affect performance of one's job or could have a negative impact on the County, including the County's reputation
 - n. having drugs or alcohol present in one's system or in violation of the provisions of the Drug Free Workplace Policy
 - o. violation of safety rules or regulations
 - p. violation of any other County or department rule of conduct or standard of performance
 - q. an absence of two (2) or more consecutive work days without notification and/or approval is considered job abandonment and a voluntary resignation
 - r. unauthorized possession or use of County property or the property of a co-worker
 - s. carelessness or other behavior resulting in the loss or damage of County property
 - t. sexual, racial or other prohibited harassment as defined in the Sections relating to Harassment
 - u. falsification (deliberate or otherwise) of any County records including employment applications and time cards or other documents required to be submitted to the County, including doctor's notes, or failure to notify County of change in driver's license status or any arrests or convictions of criminal offenses
 - v. possession of explosives or other unauthorized weapons on or in County property
 - w. fighting with or striking any employee, or threatening to fight
 - x. leaving the workplace without the specific permission of the Supervisor, Department Director or County Manager.
5. **PROBATION:** Any type of corrective action may be accompanied by placing the employee on probation. There will be periodic evaluations of an employee's performance and conduct during any probation period. Failure to improve may result in further corrective action up to and including termination. If an employee is promoted or transferred into another department while on corrective probation, the employee must serve the corrective probationary period prior to beginning promotion or transfer probation.
6. **SUSPENSION WITHOUT PAY:** An employee may be suspended without pay when the misconduct as identified in subsection 4, is severe, but termination is not recommended.

Prior to the suspension, an informal conference between the employee and supervisor will take place where the terms and conditions of the suspension will be explained to the employee subject to confirmation by the Human Resources Director.

7. **SUSPENSION WITH PAY:** An employee may be suspended with pay pending an investigation of misconduct or other similar event.
8. **PRE-DETERMINATION CONFERENCE:** Each employee whose Supervisor recommends suspension, demotion or termination under these rules will have the opportunity to participate in a pre-determination conference with the Department Director. The employee will be advised of the reasons for the recommendation of suspension, demotion or termination and the employee will be allowed to present all documentation and evidence in support of their respective positions. The Department Director after hearing testimony and reviewing the documentation, will approve, modify or disapprove the recommendation of the supervisor. The Human Resources Director will attend the pre-determination conference.

**This policy is applicable only to employees covered by the Professional Fire Fighters of Lake County Collective Bargaining Agreement.*