

## **Disciplinary Action**

Number: 03-01

Original Issue: 11/9/99

Revision: 11/13/01

Approved: 11/27/01

### **INTENT OF POLICY**

This policy is not intended to be a contract, express or implied, nor any type of promise or guarantee of specific treatment, nor a guarantee of employment for any specific duration. Although the District hopes that an employee's employment relationship with the District will be long term, the District recognizes that things may not always work out as hoped, and either the District or the employee may terminate the relationship at any time. Unless specific rights are given to an employee in an employment contract, all employees of the District are considered at-will employee and may be terminated from District employment at any time without cause and without notice. No supervisor, manager or representative of the District other than the Executive Director has authority to enter into any agreement with an employee for employment for any specific period or to make any written or verbal commitments contrary to the foregoing.

### **APPLICABILITY**

This policy applies to all employees of the District.

### **GENERAL CODE OF CONDUCT**

All District employees are expected to represent the District to the public in a professional manner that is courteous, efficient, and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by the Executive Director.

Since the proper working relationship between employees and the District depends upon each employee's ongoing job performance, the District has established certain minimum standards for personal conduct. Among the District's expectations are: basic tact and courtesy toward the public and fellow District employees; adherence to District policies, procedures, safety rules and safe work practice; compliance with directions from supervisors; showing up for work on time and working during all scheduled work hours; preserving and protecting the District's equipment, grounds, facilities, and resources; and providing orderly and cost-efficient services to the District's citizens.

### **CONDUCT SUBJECT TO DISCIPLINARY ACTION**

The District's success in providing excellent service to its citizens and maintaining good community relations depends upon the District's employees. The purpose of discipline is to improve the performance, efficiency, and morale of District employees. The following specified grounds for discipline are provided as examples of conduct which, if engaged in by a District employee, would be detrimental to the objective of providing good service and could lead to disciplinary action, including termination. The following examples are illustrative of the grounds for discipline and are not exhaustive. Employees may be

disciplined for other conduct not listed below. Grounds for disciplinary action include, but are not limited to:

- \* Incompetence or inefficiency or dereliction of duty
- \* Violation of standards for dress or appearance
- \* Disorderly conduct, including fighting during working hours
- \* Rudeness
- \* Discrimination or racial, sexual, or other harassment
- \* Intimidation or coercion
- \* Use of obscene language, gestures, or other lack of courtesy to the public or to a fellow employee
- \* Insubordination or violation of any official order or regulation, including any order from a supervisor or the Executive Director
- \* Conviction of a crime that has a clear connection to the employee's fitness for public service or that would impair the public's confidence
- \* Misrepresentation or withholding of pertinent facts in securing employment with the District
- \* Violation of District policies
- \* Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the District or its' employees, on or off the District's premises.
- \* Intentional falsification of records and/or paperwork required in the transaction of District business
- \* Possession of explosives, firearms or weapons of any type, or hazardous substances while at work, except for the handling of any hazardous substances that may be specifically required and authorized as part of the employees' duties.
- \* Habitual lateness for work, absence without proper notification to immediate supervisor, excessive absenteeism, or insufficient reason for absenteeism
- \* Possession, use, sale or being under the influence of alcohol and/or any controlled substance during work hours. The only exception to this rule shall be for an employee using or possessing a controlled substance prescribed by a doctor where such employee has given his/her supervisor prior notice of such use and or/possession and such use does not impair safe and .or efficient performance.
- \* Unauthorized use or possession of District facilities, equipment, or property
- \* Unauthorized use of the employee's position with the District for personal gain or advantage
- \* Accepting gratuities or bribes
- \* Smoking in any unauthorized posted area or creating fire hazards in any area.
- \* Failure to report an occurrence causing damage to District property or the property of any member of the public. Failure to secure District facilities or property
- \* Vending, soliciting, or collecting contributions for any purpose whatsoever during working time without the permission of the supervisor.
- \* Unauthorized operation or use of machines, tools, or equipment
- \* Refusal or failure to perform assigned work or concealing defective work

- \* Failure to observe safety practices, rules, regulations, or instructions; negligent action that results in injury to others; failure to wear required safety clothing and equipment
- \* Failure to promptly report an on-the-job injury or accident to the employee's immediate supervisor
- \* Lying, dishonesty or theft, including deliberate destruction or removal of the District's or others' property from the District's facilities or any job site
- \* Mental or physical unfitness for the position the employee holds, subject to the requirements of the Washington Law against Discrimination and the Americans with disabilities Act
- \* Failure to hold and maintain any required licenses, certifications, or endorsements
- \* Any other act or failure to act which demonstrates the employee's lack of fitness for the position or which brings discredit on the District

#### **POSSIBLE DISCIPLINARY ACTIONS**

In the event that disciplinary action is deemed necessary by the disciplinary authority, the following types of disciplinary actions may be used, depending on the situation:

- Verbal reprimand
- Written reprimand
- Suspension
- Demotion
- Termination
- Mandatory counseling or remedial training
- Extension of probation
- Imposition of a re-evaluation period during which improper behavior or inadequate work performance may trigger further disciplinary action, including termination.

The choice of what discipline to apply in any particular case is solely the District's. At the option of the District, an employee may be temporarily relieved from duty (with pay) pending completion of an investigation to determine if disciplinary action is to be taken.

#### **AUTHORITY FOR DISCIPLINE**

The discipline or dismissal of personnel is the responsibility of the Executive Director. When the conduct or ability of an employee is such that he or she does not perform the duties of his or her position in a satisfactory manner or grounds for disciplinary action exists, it shall be the duty of the employee's immediate supervisor to bring the matter to the attention of the Executive Director and to recommend to the Executive Director, in writing, such actions as the circumstances may warrant. Where the Executive Director is the employee's immediate supervisor, the Director will inform the Board of any disciplinary action taken.

## DOCUMENTATION

All disciplinary actions will be recorded in writing and a copy of the action provided to the employee, one copy placed in the employee's permanent personnel file and one copy to the Executive Director

## PRE-TERMINATION CONFERENCES

In the case of a regular full-time or part-time employee, the Executive Director will conduct a pre-termination conference prior to taking a termination action. The pre-termination conference serves as a check against mistaken decisions and as an opportunity for an employee to furnish additional facts before a termination decision is finalized.

In the event that the Executive Director decides that termination is the appropriate action in a given case, the employee will be notified, in writing, of the tentative decision of the Director, the reasons therefore, and the time and date for the pre-termination conference. If an employee fails or refuses to appear for the pre-termination conference, the termination may proceed without further need for communication.

Pre-termination conferences shall be presided over by the Executive Director and may include the employee's immediate supervisor. Pre-termination conferences are intended to be informal and are not evidentiary hearings. The employee may show cause why he or she should not be terminated.

If, after considering the information presented at the pre-termination conference, the Executive Director determines that a lesser disciplinary action or no disciplinary action is warranted, the Executive Director shall notify the employee and the employee's immediate supervisor accordingly in writing. If, after considering the information presented at the pre-termination conference, the Executive Director determines to proceed with termination, the termination decision shall be finalized and the Executive Director shall notify the employee and the employee's immediate supervisor of the final decision to terminate in writing.