



## **Disciplinary Action**

Board Approval: *R M Kelly, Chairman*

Date: 4/26/16

### **Purpose**

Employment rules are to afford a safe, efficient and pleasant work place. It is the responsibility of all employees to observe rules and regulations necessary for the proper operation and administration of governmental functions, to assure compliance with Federal and State Laws and to respect the rights of fellow employees. Employee behavior that is unacceptable will be subject to corrective and/or disciplinary action and may result in termination.

### **Progressive Discipline & Examples of Offenses**

The steps for disciplinary action are verbal warning, written reprimand, suspension and/or dismissal, although management retains the right to skip one or more steps in its sole discretion.

The following list, which is not all-inclusive, outlines acts and behavior that are not acceptable during work time or on work premises. Unacceptable behavior makes an employee subject to disciplinary action, up to and including dismissal. Causes of disciplinary action and corrective measures are at the discretion of the Director.

#### ***First Level Offenses***

Unacceptable acts and behavior that are subject to disciplinary action.

Often, due to the nature of the offense, discussions between the employee and his/her supervisor will occur to allow the employee to correct the situation before it reaches the stage of a written reprimand. These discussions are documented by a memo, which becomes part of the employee's record.

When a written reprimand is issued, it becomes a part of an employee's record and will be considered when evaluating an employee for promotion, transfer, training or additional discipline.

It is the responsibility of the supervisor to review the employee's work performance or conduct within ninety (90) days to assure that corrective action has been taken. Written documentation of the review shall be made part of the employee's record.

Three written reprimands within twelve (12) months' time, regardless of the type of first level offense, may result in dismissal. The Director and/or Deputy Director are responsible for evaluating each case on its facts. First level offenses include, but are not limited to:



- Unauthorized or excessive absence, tardiness or early quitting.
- Failure to abide by JCESA administrative policies & procedures
- Failure to meet established work quality standards.
- Failure to meet assigned housekeeping responsibilities.
- Obscene, abusive, harassing, or disruptive language or behavior.
- Failure to perform all assigned job responsibilities.
- Failure to follow prescribed work procedures.
- Failure to notify supervisor of absence(s.)

### ***Second Level Offenses***

Behavior that is of such a nature that violation may result in both a written reprimand and suspension without pay. Repetition of this type of offense usually results in dismissal. An employee may be suspended, demoted, or dismissed by the Director for a second level offense. Second level offenses include, but are not limited to:

- Reoccurring tardiness without reasonable explanation.
- Absences without approved leave.
- Refusal to comply with instructions of the supervisor
- Deliberate or reckless conduct endangering the safety of the public, employee or co-workers.
- Neglect of major safety rules.
- Violating major safety rules.
- Leaving the work place at times other than regularly scheduled breaks (such as lunch and physical fitness training) without informing the supervisor.
- Unauthorized use of JCESA or any volunteer fire department company vehicles, materials, or supplies.

### ***Third Level Offenses***

Behavior of such a serious nature that a first occurrence can be just cause for dismissal, without prior notice or warning. Third level offenses include, but are not limited to:

- Harassment
- Reporting to work, or working, while intoxicated or when ability is impaired by the use of alcohol, or other drugs including abuse of prescription drugs.
- Refusal to comply with the specific instructions of the supervisor in the context of an assigned job duty, otherwise known as insubordination.
- Intentional falsification of personnel records, time records, or any other JCESA documents and records.
- Fighting during work time or on work premises.
- Use of alcohol or illegal drugs during work time or on work property, or bringing alcohol or illegal drugs on JCESA property.
- Deliberately damaging, defacing, or misusing JCESA property, any volunteer fire department property or the property of coworkers.



- Theft, misappropriation, embezzlement, unauthorized possession or removal of JCESA property, any volunteer fire department property or the property of coworkers.
- Immoral or indecent conduct which occurs on JCESA property or volunteer fire department property and interferes with the performance of an employee's duties or reflects negatively upon the professional atmosphere of JCESA or Jefferson County government and is inappropriate to the work place.
- Unauthorized or illegal possession of explosives, firearms, or other dangerous weapons on work premises, including parking areas.
- Failure to report to work for three (3) consecutive days without a satisfactory explanation.
- Conviction of a felony or misdemeanor as defined in WV §64-48.
- Violating any confidentiality requirements which may be established by statute or by the agency.
- Continued unsatisfactory job performance.
- Violation of the JCESA or Jefferson County's conflict of interest/ethical standards set forth herein.

***These examples of first level, second level, and third level offenses are not to be construed in any way as a comprehensive list of all possible violations.***