

SANDUSKY COUNTY
PERSONNEL POLICY AND PROCEDURE MANUAL

DISCIPLINARY PRINCIPLES

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A. The SCAA believe a clearly written discipline policy promotes fairness and equality in the workplace and minimizes potential misunderstandings among employees in disciplinary matters. Furthermore, the SCAA believe the goal of discipline is to correct unsatisfactory behavior. This goal can be achieved by the consistent application of the following principles:

1. Supervisors shall advise their employees of expected behavior, the types of conduct the County has determined to be unacceptable, and the penalties for such unacceptable behavior.
2. Immediate attention shall be given to policy infractions and unacceptable behavior, unless special circumstances warrant further investigation or delay.
3. Discipline shall be uniformly and consistently applied and any deviations from standard procedure should be well justified and documented.
4. Each offense shall be dealt with as objectively as possible.
5. Discipline should usually be progressive, but, may proceed immediately to termination, depending on the severity of the offense.

B. To promote the efficient administration of discipline, the SCAA have developed a three-tiered progressive discipline system which outlines the categories of unacceptable conduct and sets forth recommended standard penalties for violations. The SCAA have developed this progressive discipline system as a guide for the

uniform administration of discipline. It is not, however, to be construed a

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delegation of or limitation upon the statutory rights of the County as set forth in the Ohio Revised Code. Therefore, the SCAA retain the right to deal individually with each disciplinary matter based on the merits of each individual case without creating any precedent for the treatment of any future matter.

- C. As the circumstances of each disciplinary matter are unique, the examples of certain penalties for specific offenses contained in this manual are intended to serve merely as a guide for supervisors. The standard penalties provided in this manual do not preclude the application of a more or less severe penalty for a given offense when specific circumstances exist. This approach to administering discipline promotes the uniform application of discipline while still recognizing there may be extenuating circumstances associated with the employee's actions.
- D. In each case where the penalty deviates from the recommended standard penalty, the reasons for such deviation should be noted in writing.
- E. The SCAA may issue a fine or working suspension under certain circumstances, for example, to discipline an FLSA-exempt employee without jeopardizing the employee's exempt status, or to impose discipline when the SCAA is short-staffed. However, the SCAA should use fines sparingly and not in a manner that would cause a non-exempt employee to be paid less than minimum wage under the FLSA.
- F. Supervisors may recommend and/or the Department Head may issue verbal warnings and written reprimands. Forms for issuing such disciplinary actions are included in this manual. These forms should, in each case of discipline, be completed and signed by the Department Head, delivered to the employee, and signed by the employee. The completed form shall be forwarded to the SCAA and a copy placed in the employee's personnel file maintained by the Sandusky County Personnel Office.

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- G. Only the Appointing Authority has the authority to reduce in classification or pay, fine, suspend, or remove an employee. Prior to such discipline, a pre-disciplinary conference must be held if it involves a classified employee.
- H. Suspensions or fines of more than three (3) days pay, reductions, or removals of classified employees must be filed with DAS on an Order of Removal, Suspension, or Reduction ADM 4055 Form in accordance with R.C. Section 124.34.
- I. Reduction in classification or pay, suspension, fine, or removal of an unclassified employee does not require a DAS Form and may be executed at the discretion of the SCAA. A written notice shall be provided to the employee. While a pre-disciplinary conference is not legally required for unclassified employees, it is recommended that the Appointing Authority meet with the employee to provide the employee with an opportunity to respond regarding the alleged infraction, prior to reducing, suspending, fining, or removing the employee from public service.
- J. A SCAA may place an employee on administrative leave with pay, but only in circumstances where health or safety of an employee or of any person or property entrusted to the employee's care could otherwise be adversely affected, or pending any inquiry or investigation regarding the employee. The length of the leave shall not exceed the length of the situation for which the leave is granted. For example, in a disciplinary situation such leave might extend until the SCAA completes the pre-disciplinary process, investigates the alleged infraction, and takes action or decides not to do so. To be entitled to administrative leave, an individual must be readily available for work and not confined in a correctional facility. Compensation for administrative leave shall be equal to the employee's base rate of pay.
- K. Records of verbal warnings or written reprimands shall cease to have force and effect or be considered in future discipline matters twenty-four (24) months after their effective date, providing there are not intervening corrective actions for the same offense. Records of Final Warning shall cease to have force and effect or be

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considered in future discipline matters thirty-six (36) months from the date of issuance providing there are no intervening corrective actions taken during that time period.

Any fine or suspension of up to three (3) days pay shall not be considered in future discipline matters thirty-six (36) months from the date of issuance providing there are no intervening corrective actions for the same offense. Any fine or suspension of more than three (3) days pay shall not be considered in future disciplinary matters sixty (60) months from the date of issuance providing there are no intervening corrective actions for the same offense. However, nothing herein shall restrict the Employer from using any previous disciplinary action as evidence that an employee was knowledgeable of a specific rule or had been previously warned regarding violation of such rule.

- L. Records of previous disciplinary actions may only be destroyed in accordance with the Public Records Act and the retention schedule established by the County's Public Records Commission and approved by the State.