


SHELBYVILLE FIRE & RESCUE STANDARD OPERATING PROCEDURES

	SECTION: Membership	S.O.P: 102.08
	SUBJECT: Discipline	PAGE: 1 of 4
	Approved By:	Effective Date: December 1, 2012
		Revision Date:

Purpose:


The policy of the City is to be patient, fair and consistent in the administration of its rules, regulations and procedures, including these personnel policies and procedures. When problems arise, emphasis is on improvement and/or correction rather than punishment. However, willful, continued or inexcusable breaches of employment rules, regulations and procedures must be dealt with firmly in accordance with a uniform policy, which applies, to all employees. Employees may be disciplined by means of a verbal warning, written warning, suspension or termination depending upon the severity of the offense and/or the work record of the employee.

General:

For the following offenses, (which is not an all-inclusive list) an employee may be disciplined up to and including dismissal by recommendation of the employee's department manager and the approval of the Office Administrator and/or Mayor.

1. Falsification of employment application or medical information, omission of pertinent facts;
2. Threatening, assaulting, fighting with or harassing another person;
3. Malicious mischief – damaging the property of another employee or the City;
4. Theft in any form;
5. Conviction of a felony or a crime involving moral turpitude, in accordance with KRS 335Bd'
6. Any of the following when occurring on City of Shelbyville premises or on duty;
7. Possession of any weapon; excluding sworn police officers
8. Immoral Conduct
9. Falsification or destruction of any of the Agency's records or documents;
10. Dishonesty
11. Deliberately making of using falsified records, materials requisitions;
12. Lying
13. Personal use of City Property
14. Deliberate waste
15. Neglect duty, which shall include;
 - a. Repeated failure to be at work station at starting time;
 - b. Leaving assigned work area without permission;
 - c. Failure to attend scheduled meeting'
 - d. Refusal to accept reasonable work assignment;
 - e. Stopping work before specified time'
 - f. Deliberate interruption of work;
 - g. Loitering, loafing or sleeping on job;
 - h. Unsatisfactory work or attitude;
 - i. Excessive absenteeism
 - j. Failure to keep time cards accurately or completing another employee's time card;
 - k. Discourtesy to the public or fellow employees;
 - l. Untidy or unsuitable attire, torn uniforms, and other failures to maintain a clean, neat appearance;

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- m. Reporting to work under the influence of intoxicants or illegal drugs;
- n. Possession and use of any intoxicants or illegal drugs while on duty;
- o. Possession, distribution, manufacturing or use of any illegal drugs at any time
- p. Illegal gambling;
- q. Improperly discussing or disclosing confidential information;
- r. An accumulation of minor infractions;
- s. Failure to follow any rule, regulation and operating procedure or requirement not specifically mentioned above.

Procedure:

When an employee fails to follow any rule, regulation, operating procedure or job requirement, one of the following measures shall apply, depending upon the circumstances involved and the severity of the offense as determined by the Immediate Supervisor or Department Manager:

- A. Verbal warning (reprimand):
 - 1. The Immediate Supervisor or Department Manager shall administer a verbal reprimand without rancor and explain the action necessary to correct the problem as soon as possible after the offense.
 - 2. The date of the reprimand, along with a description of the occurrence which prompted the reprimand, actions necessary to correct the problems, and any comments the employee may have made, shall be documented and placed in the employee's departmental personnel folder by the person giving the reprimand. A copy will be provided to the employee. (NOTE: See OAG-83-114 reference Police Officers and this policy.)
- B. Written warning:
 - 1. The Immediate Supervisor or Department Manager shall give the employee a written warning specifying the reason(s) for such warning and noting any previous verbal and/or written warnings.
 - 2. Written warnings shall state that the employee's performance will now be reviewed on a regular basis for improvement and explain the consequences of continued infractions.
 - 3. The employee shall sign the written warning or a witness shall sign the warning; a copy of the written warning shall be forwarded to the Personnel Administrator and be placed in the employee's personnel folder.
- C. Suspension:
 - 1. The Immediate Supervisor or Department Manager shall present a recommendation for suspension to the City Administrator and Personnel Administrator.
 - a. Upon review of the Department Manager shall present a recommendation, the City Administrator shall forward their recommendation to the Mayor or
 - 2. The Mayor may suspend an employee with or without pay for any period up to and including four calendar weeks, depending upon the severity of offense; however a maximum time limit shall not apply when an employee is suspended with pay due to an investigation of an alleged offense.

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3. The suspended employee shall be notified of the suspension in writing within five working days after time of suspension. The notice shall include the reason(s) for duration of suspended employee shall be notified of the suspension in writing within five working days after time of suspension. . The notice shall include the reason(s) for duration of suspension (if known).
4. Employees suspended without pay for a period of four working weeks or more shall forfeit fringe benefits, including accrual of sick and vacation leave and the City's contribution to life and medical insurance, during the period of suspension.

D. Dismissal:


1. The Department Manager may recommend dismissal of an employee.
2. The recommendation shall include the reason(s) for the dismissal, details of any previous disciplinary action taken against the employee, and the recommended effective date and time of discharge.
3. The recommendation shall be forwarded to the City Administrator and Personnel Administrator.
4. Upon review of the Department Manager's recommendation, the City Administrator shall forward their recommendation to the Mayor.

ALL DISCIPLINARY ACTIONS SHALL BE DOCUMENTED AND PLACED IN THE EMPLOYEE FILE.

E. Demotion or Transfer:

1. In the event that an employee becomes unable to perform the duties as stated in the class specification, the employee may be transferred or demoted in lieu of taking any disciplinary action, provided the employee meets the qualifications for the position, and the position is vacant. Such actions shall be recorded in the employee's personnel file.
2. An employee grievance procedure is included for employees who feel unjustly disciplined (see Part IX); employees will not be discriminated against in any way because of proper use of the grievance procedure.
3. In the event any disciplinary action or dismissal under this subpart involves a police officer, as defined in KRS 15.520 are applicable, the provisions of the statutory section shall supersede these policies and procedures.

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F. Resignation:

1. An employee who decides to resign from employment with the City shall inform his/her Immediate Supervisor or Department Manager of the intended resignation as soon as possible after the decision is made. The notice shall be in writing, and shall include the effective date of the resignation. Unless approved in advance by the Personnel Administrator, failure to give two weeks notice may be cause for denying future employment with the City and may be cause for the City's refusal to give a recommendation if contacted by other employer(s).
2. An employee's resignation and its attendant reasons, if noted, shall be recorded in the employee's personnel file.
3. The official employment date of an employee who resigns and is reinstated shall be the latest date of employment, unless specified otherwise by the Mayor.
4. Any employee who is absent from work for five (5) consecutive work days without notifying his/her Department Manager of the reason(s) for the absence will be considered to have resigned the position and will be terminated from employment with the City.