

Policy No. 2.18 **Discipline/Discharge Procedures**
Date of Issuance: **May 17, 2012**
Revision Date:

As the basic standard of justice, employees are to be informed of the behavior expected of them and the rules, regulations, policies, procedures and practices by which they must abide. Disciplinary action results from failure to abide by such. It will be the practice of the Town to put in writing its rules, regulations, policies, procedures and practices to the extent possible. This policy does not apply to Police and Fire Department personnel who shall be governed by the Police & Fire Commission as stated in Wis. Stats. Sections 61.65 and 62.13.

Sometimes employees have personal problems, which affect their behavior or job performance. When these problems occur, the supervisor should refer the employee to the Town's Employee Assistance Program (EAP) for help. See Section 3.03 of this policy.

1. Policy

- A. Disciplinary action will be taken against an employee only for just cause
- B. The Town normally adheres to a policy of progressive discipline where the penalty becomes more severe with each additional inappropriate action or as a result of progressively declining performance. In most cases, progressive discipline will be the appropriate means for correcting a problem.
- C. Some actions are so severe and damaging to the Town or its employees that a Supervisor may feel it is warranted to override the normal progressive disciplinary process and immediately precede to a higher level of corrective action. If a Supervisor feels more severe action is warranted, it is recommended that she/he discuss the case with the Town Administrator prior to administering the disciplinary action. The Town Administrator shall be the responsible for terminating employees if warranted.
- D. The following list of activities is presented as a guideline regarding unacceptable conduct. Violation will be subject to disciplinary action including reprimand, warning, suspension or dismissal. The action taken will depend upon the seriousness of the offense and the employee's past performance.

This list of improper activities provides examples and is not intended to be all inclusive. Other circumstances may warrant disciplinary action and will be treated on a case-by-case basis. Additional guidance may be found in other Town policies. Any employee should discuss questions regarding appropriate conduct with her/his supervisor.

(1) Work Performance

- (a) Demonstrated inability to perform assigned duties at a defined level of expertise, given a reasonable amount of training and coaching.
- (b) Inability to relate efficiently and courteously with the public.
- (c) Insubordination, including disobedience, or failure or refusal to carry out assignments or instructions.
- (d) Loafing, loitering, sleeping or engaging in unauthorized personal business during working hours.
- (e) Exhibiting repeated negligence or carelessness in performing assigned duties.
- (f) Falsifying Town records or giving false or incomplete information to employees responsible for record keeping.
- (g) False claims for salary and/or reimbursement for job expense.

(2) Attendance and Punctuality

- (a) Habitual Tardiness.
- (b) Leaving work early without authorization.
- (c) Excessive absenteeism or abuse of sick leave
- (d) Failure to observe lunch or break schedules or time limits.
- (e) Failure to give notice of anticipated leave as outlined in the Town's Leave Policy No. 3.02

(3) Use of Property

- (a) Unauthorized use or improper, possession or removal of Town equipment or property, or another person's private property.
- (b) Unauthorized posting or removal of notices or signs.
- (c) Excessive use of Town telephones for personal business.
- (d) Non-reimbursed personal calls made on Town telephones.
- (e) Violation of the Town's computer, internet and email acceptable use policy.

- (f) Unauthorized use of Town vehicles or equipment.
- (g) Knowingly driving a Town vehicle without a valid driver's license or commercial license (when required).

(4) Personal Actions

- (a) Threatening, attempting, or doing bodily harm to another person.
- (b) Using abusive or threatening language towards another person.
- (c) Making false or malicious statements concerning other employees or supervisors.
- (d) Sexual Harassment
- (e) Disregarding Administrative Policies
- (f) Intoxication, including consuming intoxicants during working hours or being under the influence of alcoholic beverages or illegal drugs during working hours or bringing intoxicants or drugs into the work place.
- (g) Condition brought about from use of intoxicants or drugs away from work, which interferes with job performance, efficiency or discipline.
- (h) Unauthorized distribution of literature, or printed or written material of any description on Town property.
- (i) Willful violation or disregard of safety, health, fire, security or employment regulations, signs and notices.
- (j) Violation of any of the standards set forth in the Town's Conflict of Interest Policy No. 1.02. and Ethics Code.
- (k) Violating personnel policies, rules or procedures.

2. Steps for Progressive Discipline. Accelerated discipline may be initiated at any stage depending upon the facts and circumstances of the particular incident or incidents at the Town's sole discretion.

A. Verbal Warning

- B. Written Reprimand
 - C. Suspension
 - D. Termination
3. Appeal.

See Section 2.08 of this Personnel Policy.

NOTE: This section does not apply to members of a collective bargaining unit that has a collective bargaining agreement that governs discipline.