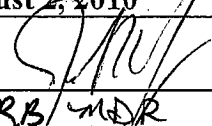


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PROGRESSIVE DISCIPLINE

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PURPOSE

It is the policy of Uintah County that management will inform its employees about work expectations and what management and the employee may do to correct any misconduct. This policy is provided in an effort to ensure that employees reach their potential and allow others to do so in their respective positions. Violations of the County policies, or individual department policies and procedures may result in disciplinary action. This policy identifies progressive disciplinary steps, establishes procedures for investigating and implementing discipline, and discusses the responsibilities of both supervisors and employees. These procedures are intended to ensure fairness and consistency when disciplinary action is selected by management.

SCOPE

This policy applies to all County employees and shall be followed if any County or departmental policy and/or procedure is violated. Department Heads and Supervisors shall consult with the HR Office or County Attorney's Office prior to commencing a disciplinary investigation and prior to imposing formal disciplinary action as defined herein.

CROSS REFERENCES

Equal Employment, Policy 200
Leave, Policy 400
Grievance and Appeal, Policy 610
Code of Conduct, Policy 500
Sexual Harassment, Policy 510
Alcohol and Drug Free Workplace, Policy 520

POLICY AND PROCEDURE

1. Investigation
 - A. When disciplinary action seems warranted, the Department Head shall conduct an investigation into the alleged misconduct. In conducting the investigation, a career service employee shall be given the opportunity to respond to the findings. On a case-by-case basis, the Department Head may choose to place the employee on paid administrative leave, pending the investigation.
 1. Administrative leave or job transfers shall not be considered as

disciplinary measures, unless documented otherwise.

2. The period of administrative leave shall not be longer than is reasonably necessary to complete an investigation into the alleged misconduct.
3. An employees' supervisor may impose immediate administrative leave if the conduct of the employee endangers the peace and safety of others or poses a threat to the public interest.

2. The Determination of Discipline

- A. After the investigation is complete, the Department Head will determine the type of disciplinary action to be imposed. In making the determination, the Department Head may consider relevant circumstances such as: the repeated nature of violations, prior discipline, the severity of the violation, the employee's work record, the effect on County operations, and the potential of the violation to harm individuals or property.
- B. In most cases, an employee will be given an opportunity to correct the behavior for which s/he is being disciplined. If an employee's conduct is severe, pervasive, or blatant, Department Heads may bypass any step of the disciplinary process if they feel that the behavior warrants such.

3. Pre-Disciplinary Hearing – Applicable to Career Service Employees only.

- A. When a demotion or termination action is anticipated, the Department Head shall allow the employee to address the allegations and potential disciplinary action in a pre-disciplinary hearing. This hearing shall be recorded by the Department Head.
- B. The employee shall be given reasonable notice of the hearing and be allowed to prepare a response and bring evidence to the hearing. On a case-by-case basis, the employee's response given during the investigation process as defined in section 2 above may be accepted as the pre-disciplinary hearing.

4. Career Service employees and appointed personnel – The following steps shall be used unless the Department Head or Supervisor determines that conduct warrants a more severe disciplinary action. If so, the supervisor may skip single or multiple steps in the progressive process to impose discipline.

- A. Step 1 – Documented verbal reprimand - A verbal reprimand shall be conducted in a confidential meeting between the employee, supervisor, and a second supervisor or a human resource representative, upon request. The supervisor shall document the reprimand on official County letterhead. The verbal reprimand shall be forwarded to human resources for retention in the employee's personnel file.
- B. Step 2 – Written reprimand - The Department Head shall follow the same procedure as in a verbal reprimand, but must have a witness at the confidential

meeting. This step is generally used if the employee has not corrected the inappropriate action(s) through a documented verbal reprimand or if a higher level of discipline is necessary on the first offense.

C. Step 3 – Disciplinary Consequences (Any or all of the following may apply depending on the severity of the conduct)

1. Demotion – A reduction of an employees' current base pay.
2. Suspension - A length of time, for up to thirty (30) days, with or without pay, where an employee is not allowed to perform work-related activities. Payment of wages and length of suspension shall be determined on a case-by-case basis. An employee suspended without pay for disciplinary reasons will not continue to accrue leave during the suspension. The employee shall continue to receive health, disability, and life insurance benefits and may continue to participate in programs that involve payroll deductions as long as he/she continues to pay his/her portion of the premiums. The employee may use accrued leave to cover the deductions; however, accrued leave may not be used to cover lost payment of wages.
3. Probation - A timeframe during which an employee is expected to make enough progress that the grounds for discipline no longer exist. Employment is not guaranteed during or after probation. Immediate and continuous improvement is expected. Unimproved performance, unacceptable behavior, and other setbacks may lead to termination before an employee's probation is completed. Being put on probation as a form of discipline is different than probationary employment for new hires (which is part of the selection process) or trial periods for career service employees who are transferred or promoted to a position of significantly different duties and responsibilities. Probation may last from thirty (30) days up to one (1) year.
4. Termination of Employment - If an employees' improper conduct is repetitive, severe, or appears irreparable, the employee shall lose all rights to perform work on behalf of Uintah County.
5. Documentation – Any documentation in association with the investigation and/or disciplinary action shall be retained by the human resource department.
6. Temporary and/or Seasonal Employees - Temporary and seasonal employees can be discharged for any reason, at any time, with or without cause or notice, within the limits of State and Federal law.
7. An employee, whose conduct is found to be detrimental to the welfare of fellow employees or the County, may immediately be placed on administrative leave, with or without advance notice.