

§ 33-28. Disciplinary procedures. [Added 5-6-1996 ATM, Art. 7; amended 5-5-2003 ATM, Art. 3; 5-3-2004 ATM, Art. 3; 5-2-2005 ATM, Art. 3; 5-7-2007 ATM, Art. 56, 5-5-2008 ATM, Art. 3]

- A. The goal of management is to develop productive employees. Managers must keep all employees informed of management's expectations in the areas of job performance and behavior through regular meetings and discussions. Management must thoroughly investigate and document performance issues. Managers should seek advice from the Human Resources Director on appropriate procedures.
- B. Employees are expected to conduct themselves in a professional and respectful manner consistent with the high standards held by the Town. The following list of infractions, although not intended to be all-inclusive, illustrate some of the breaches of conduct that may result in disciplinary action, up to and including dismissal. This does not alter the "at will" nature of employment with the Town.
- (1) Violation of the Town's policies.
 - (2) Use of profane or abusive language, or rude or discourteous behavior
 - (3) Dishonesty.
 - (4) Misappropriation of Town funds or assets.
 - (5) Excessive or unexcused absences or tardiness or fraudulent use of leave time.
 - (6) Conducting personal business during work hours.
 - (7) Neglect of job responsibilities. [Amended 5-5-2008 ATM, Art. 3]
 - (8) Insubordination.
 - (9) Falsifying or unauthorized destruction of records, mail or other documents.
 - (10) Destruction, unauthorized removal, or theft of Town property or the property of others located on Town premises.
- C. If employees exhibit inappropriate conduct or fail to meet performance standards, they may be subject to the Town's disciplinary procedures. Disciplinary procedures, outlined below, in no way alter the employment at will relationship.

Oral reprimand. An oral reprimand constitutes the first step in the disciplinary procedure. Management must meet with the employee to communicate the warning and must give the employee a written summary which documents the infraction and describes how the employee failed to meet the acceptable standards of performance.

The employee should be counseled on ways to improve performance. A copy of the written summary will be placed in the employee's personnel file.

Written reprimand. Management must meet with the employee and give him/her a formal written reprimand which fully documents the infraction and a copy placed in the employee's personnel file.

Suspension. A suspension is the temporary and involuntary separation of an employee from employment. The purpose of a suspension is to serve as a final warning to an employee that continued poor performance or misbehavior will result in dismissal. All suspensions must be documented in writing and a determination letter given to the employee by management and a copy placed in the employee's personnel file. Whenever possible, the Human Resources Department will be consulted prior to issuing a suspension.

Dismissal. Dismissal is the permanent and involuntary separation of a person from employment with the Town. Issues surrounding the dismissal must be documented.

- D. Management reserves the right to determine at which step of the disciplinary process to begin. Options range from an oral reprimand up to and including immediate dismissal. This decision will be based on the severity of the infraction. If necessary, employees may be put on administrative leave with pay pending an investigation.
- E. All employees are entitled to a pre-termination meeting with the Human Resources Director and the Town Manager at which they have an opportunity to present their case. **[Amended 5-5-2008 ATM, Art. 3]**
- E. Employees involved in any step of the disciplinary process are not eligible for consideration under ~33-9 Step Rate Increases until improvement has been documented and/or a period of time as defined by the Town Manager and Department Head has expired with no additional disciplinary actions.