

5 - DISCIPLINE

5.1 - Disciplinary Practices & Procedure

Revised: July 1, 2007

Reviewed: July 2018

Public employees are held to a higher standard of conduct than the private sector and are expected to maintain a high level of integrity and honesty as representatives of the City. Off-duty misconduct can be a dischargeable offense when it harms the employer's reputation, operations, or product, or when the nature of the misconduct is serious or related to the employee's job and results in an employee's impaired performance or inability to perform his or her duties.

Rules and regulations have been established for the guidance and protection of all employees and the public. Every employee is expected to be familiar with the City's rules, regulations, and policies and to act accordingly. Failure of an employee to abide by the City's rules, regulations, and policies will result in disciplinary action.

The purpose of discipline is to make the employee aware of shortfalls in job performance and/or expected behavior and to give the employee an opportunity to improve. The disciplinary process will normally, but not necessarily, be progressive and may be in the form of counseling, written reprimand, suspension and review, or discharge, depending on the seriousness of the offense and the circumstances involved.

Supervisors, Department Directors, and Division Managers are expected to regularly maintain notes about each employee's performance. Notes should identify behavior that could lead to discipline or commendation and should be the basis of employees' performance appraisals.

The following list is a general guide for discipline. In all cases, supervisors are responsible for thorough fact-finding to ensure that contemplated disciplinary action is appropriate.

CAUSES FOR DISCIPLINE

The following list is examples of behaviors for which disciplinary action may be taken. The list is not all-inclusive; disciplinary action may be taken for other behavior or conduct that violates acceptable or desirable standards of ethics, health, safety, laws, and regulations, or orderly business operations.

1. Inability to maintain regular and/or punctual attendance at work.
2. Insubordination.
3. Being under the influence of non-medically prescribed drugs and/or controlled substances or alcohol on the job or possession of same.
4. Violation of City policies and/or departmental rules.
5. Incompetence, inefficiency, or negligence in the performance of duty.
6. Acting in a careless or negligent manner with City property or funds.

7. Activity that involves conflict of interest.
8. Falsification, alteration, deletion of required information, or lack of inclusion of material information on any City record or application.
9. Operating city equipment or vehicles without proper license or permit.
10. Conviction of a crime, which casts doubt on the ability of the employee to perform the job effectively.
11. Abusive or improper treatment during the performance of duty to any member of the public, fellow employee or city official, including but not limited to, harassment on the basis of race, creed, color, sex, ancestry, religion, age, sexual orientation, marital status, or mental or physical disability.
12. Disregard for safety policies and procedures including proper use of safety gear, clothing, or equipment.
13. Unauthorized use or possession of City property.
14. Unauthorized disclosure or use of confidential City or employee information.

CITY OF MARSHALLTOWN, IOWA - REPORT OF EMPLOYEE COUNSELING

The employee's supervisor should issue the report of Employee Counseling as soon as possible following the incident(s) leading to its issue.

The Report is to notify the employee that his or her performance or conduct is substandard, to advise the employee that continued substandard conduct or performance may warrant a higher degree of discipline, and to advise the employee of the expected levels of conduct.

This report is to remain in the Department Director's or Division Manager's possession and will not become a part of the employee's personnel file unless further disciplinary action is taken.

Employee: _____

Department: _____

Incident:

Employee's Comment:

Action Taken:

Expected corrective action/level of conduct:

The employee's signature indicates this matter was discussed with him or her and that the employee has received a copy of this report. It does not necessarily mean that the employee agrees with what is stated in the report.

Employee's Signature: _____ Date: _____

If the employee refuses to sign the Report of Employee Counseling, the Supervisor giving the report should indicate on the report that the employee was given the opportunity to sign but refused.

Supervisor issuing Report: _____ Date: _____

CITY OF MARSHALLTOWN, IOWA - WRITTEN REPRIMAND

In the case of an offense more serious than what warrants only Employee Counseling or if an employee's conduct has not improved after previous Employee Counseling, the supervisor shall issue a written reprimand.

This written reprimand is to notify the employee that his or her performance or conduct is substandard, to advise the employee that continued substandard conduct or performance may warrant a higher degree of discipline, and to advise the employee of the expected levels of conduct.

Employee: _____

Department: _____

Reason for the reprimand:

Expected corrective action/level of conduct:

The employee's signature documents that this matter was discussed with him or her and that the employee has received a copy of this report. It does not necessarily mean that the employee agrees with what is stated in the report.

Employee's Signature: _____ Date: _____

If the employee refuses to sign the Written Reprimand, it should be noted in the presence of a witness that the reprimand was discussed with the employee and a copy was given to the reprimanded employee.

Witness's Signature: _____ Date: _____
(If employee refuses to sign)

Supervisor issuing Report: _____ Date: _____

Department Director's Signature: _____ Date: _____

Copy the signed form and send the original to Human Resources. Give one copy to the employee and retain one copy in the departmental/division records. Attach any applicable copies of employee counseling.