

5 - DISCIPLINE

5.3 - Suspension and Termination

Pre-Disciplinary Hearing Process

Revised: July 1, 2007

Reviewed: July 2018

The disciplinary procedures of suspension, demotion, and removal for City employees covered by Civil Service shall be in accordance with Chapter 400 of the Code of Iowa.

Before any regular employee who has successfully completed his or her probationary period is suspended without pay or discharged, the employee shall be given a "Notice of Intent to Suspend" or "Notice of Intent to Discharge" which is a written explanation of the reasons why the action is being considered. Such notice shall set forth the reason for the disciplinary action and inform the employee of the date, time, and place of the employee's pre-disciplinary hearing.

The pre-disciplinary hearing is an opportunity for the employee to present reasons why the proposed discipline should not occur.

The affected employee, the employee's immediate supervisor, the Human Resources Director, the employee's Department Director, and a decision maker/hearing officer appointed by the City Administrator will attend the pre-disciplinary hearing.

Within 24 hours after the conclusion of the pre-disciplinary hearing the employee shall be informed whether or not the proposed disciplinary action will occur.

If the suspension or discharge does occur the employee has the right to a request a post-discipline hearing (See Section 5.4).

CITY OF MARSHALLTOWN, IOWA
NOTICE OF INTENT TO SUSPEND WITHOUT PAY

In the case of a serious or intentional violation of City policies, rules, or regulations or if an employee's performance or conduct has not improved as a result of lower levels of discipline, an employee may be suspended without pay. The length of the suspension will be jointly determined by the Department Director and the Human Resources Director, and will vary based upon circumstances surrounding the suspension. The minimum length will be no less than two working days and the maximum will be no more than 30 calendar days. The suspension without pay is to advise the employee that the continued substandard conduct or performance may warrant a higher degree of discipline and to advise the employee of the expected levels of conduct.

The employee will be subject to both a six week and a twelve week performance review after the suspension.

Three copies of this form shall be made. The original shall be sent to the Human Resources Department, one copy shall be given to the employee, and one copy shall be retained in the departmental/division records. Any applicable copies of employee counseling shall be attached.

Date: _____

Employee: _____

Reason for the intended suspension:

Expected corrective action/level of conduct:

Date, time and place of the pre-suspension hearing:

Terms of the intended suspension:

From _____ until _____. Return to work on _____

If the suspension does occur, the employee has the right to request a post-suspension hearing. That hearing must be initiated by the suspended employee.

The employee's signature documents that this matter was discussed with the employee 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 this form, it should be noted in the presence of a witness that the suspension was discussed with the employee and that a copy of the notice was given to the employee.

Witness's Signature: _____ Date: _____

(If employee refuses to sign)

Department Director's Signature: _____ Date: _____

Human Resources Director's Signature: _____ Date: _____

CITY OF MARSHALLTOWN, IOWA
NOTICE OF INTENT TO DISCHARGE

Three copies of this form shall be made. The original shall be sent to the Human Resources Director, one copy shall be given to the employee, and one copy shall be retained in the departmental/division records. Attach any applicable copies of employee counseling.

Employee: _____

Department: _____

Reason for the intended discharge:

Date, time and place of the pre-termination hearing:

If the termination does occur, the employee has the right to a post-termination hearing. ***The terminated employee must request that hearing.***

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 intent to discharge form, it should be so noted in the presence of a witness that the intent to discharge was discussed with the employee and a copy was given to the employee.

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

Department Director's Signature: _____ Date: _____

Human Resources Director's Signature: _____ Date: _____