

Standards of Conduct and Related Disciplinary Actions

Disciplinary Action	Results of 1 Issued:	Results of 2 Issued:	Results of 3 Issued:	Results of 4 Issued:
<p>Group I (active for 2 yrs from date issued to the employee)</p>	<p>The normal disciplinary action for a Group I offense is the issuance of a Written Notice.</p>	<p>Group I Written Notices are Cumulative.</p>	<p>Upon the accumulation of three active Written Notices for Group I offenses, the employee normally should be suspended without pay for no more than <u>5</u> workdays.</p>	<p>A fourth active Written Notice for a Group I offense normally should result in discharge. See *Mitigating circumstances</p>
<p>Group II (active for 3 yrs from date issued to the employee)</p>	<p>The normal disciplinary action for a Group II offense is issuance of a Written Notice only, or a Written Notice and up to <u>10</u> workdays of suspension without pay.</p> <p>A Group II Written Notice following three active Group I Written Notices normally should result in discharge.</p>	<p>Accumulation of two Group II offenses normally should warrant removal. See *Mitigating Circumstances</p>		
<p>Group III (active for 4 yrs from date issued to the employee)</p>	<p>The normal disciplinary action for a Group III offense is the issuance of a Written Notice and discharge. See *Mitigating Circumstances</p>			

Disciplinary action: An action taken in response to an employee's behavior. Disciplinary actions may range from the issuance of an official Written Notice only to issuance of a Written Notice and termination.

Examples of Offenses that warrant Group I Written Notice:

Unsatisfactory attendance; Abuse of state time; Use of obscene or abusive language; Inadequate or unsatisfactory work performance; Disruptive behavior; Conviction of a moving traffic violation while using a state-owned or other public-use vehicle; Some Alcohol and Drug offenses; Some Workplace Harassment offenses; Some EEO offenses

Examples of Offenses that warrant Group II Written Notice:

Failure to follow a supervisor's instructions, perform assigned work, or otherwise comply with established written policy; Violating a safety rule where there is not a threat of bodily harm; Leaving the work site during work hours without permission; Failure to report to work as scheduled without proper notice to supervisor(s); Unauthorized use or misuse of state property or records; Refusal to work overtime hours as required; Some Alcohol and Drug offenses; Some Workplace Harassment offenses; Some EEO offenses

Examples of Offenses that warrant Group III Written Notice:

Absence in excess of three days without proper authorization or a satisfactory reason; Falsifying records; Willfully or negligently damaging or defacing state records, state property or property of other persons; Theft or unauthorized removal of state records, state property, or the property of other persons; Gambling on state property or during work hours; Fighting and/or other acts of physical violence; Violating safety rules where there is a threat of physical harm; Sleeping during work hours; Participating in any kind of work slowdown or similar concerted interference with state operations; Unauthorized possession or use of firearms, dangerous weapons, or explosives; Threatening or coercing persons associated with any state agency; Criminal convictions for illegal conduct occurring on or off the job that clearly are related to job performance; Some Alcohol and Drug offenses; Some Workplace Harassment offenses; Some EEO offenses

Advance notice to employees

Prior to any (1) disciplinary suspension, demotion, and/or transfer *with disciplinary salary action*, or (2) disciplinary removal action, employees must be given oral or written notification of the offense, an explanation of the agency's evidence in support of the charge, and a reasonable opportunity to respond.

***Mitigating Circumstances and Alternatives to discharge**

Disciplinary action also may include demotion or transfer in lieu of termination. In such cases, the agency must initiate a disciplinary salary action. With a disciplinary salary action, employees may be retained in their current positions and have their duties reduced or be moved to positions in the same or lower pay band with less job responsibilities. In either case, the employee's salary must be reduced by at least 5%. In no case may an employee's salary exceed the maximum of the pay band following a disciplinary salary action.

When suspension is determined to be the appropriate alternative to discharge by an agency, it shall not exceed 30 workdays for a Group III offense or for an accumulation of four Group I and two Group II offenses.

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