

## HEKTOEN INSTITUTE LLC POLICY & PROCEDURES FORM

**POLICY TITLE: DISCIPLINARY ACTION**

**POLICY NUMBER: 00011**

**REVIEWED & REVISED: 05/01/2012**

**PURPOSE:**

To provide a mechanism whereby disciplinary action will be initiated, including discharge, in a series of progressive steps, depending upon the severity of the rules of infraction.

**EMPLOYEES AFFECTED: All HEKTOEN Staff**

**POLICY:**

- A. Disciplinary Action is taken when an employee has committed an infraction of a Hektoen Institute rule as specified in rules Governing Employee Conduct or the behavior deemed unacceptable.
- B. Disciplinary Action is timely and progressive, and is based upon the commission of the same, similar, or other infraction, except for major cause infractions as defined elsewhere.
- C. All discipline shall be given only for just cause. The level of Disciplinary Action and/or degree shall be appropriate to the infraction including, if appropriate, a consideration of the following:
  1. Documentation of the employee's past conduct.
  2. Whether or not the employee was adequately warned and counseled of the consequences of his conduct.
  3. Length of service.
  4. Seriousness and circumstances of the particular offense.
  5. Hektoen Institute practice in similar cases.
  6. Motives and reason for violating a rule.

D. In general, discipline will include the following steps:

1. 1<sup>st</sup> Offense – Verbal reprimand.
2. 2<sup>nd</sup> Offense – Written reprimand.
3. 3<sup>rd</sup> Offense – Suspension.
4. 4<sup>th</sup> Offense – Discharge.

E. Disciplinary Action for Major Cause infraction need not be progressive. Major Cause is defined as, but not limited to, the following behavior by an employee on duty or on the premises of any County/Hektoen facility:

1. Use, possession, or being under the influence of alcohol, controlled substance, or un-prescribed drugs.
2. Fighting
3. Patient, employee or visitor abuse.
4. Unauthorized possession of weapons.
5. Willful destruction of property.
6. Gross insubordination.
7. Theft of patient, employee, or County/Hektoen property.
8. Negligence in performance of duties.
9. Misuse of timekeeping facilities or records.
10. Absence for three consecutive workdays without notifying the immediate supervisor or Director.
11. Conviction of a State or Federal felony or plea of nolo contendere, or regardless of whether on duty or on the premises of any county facility.

F. Disciplinary Action may begin, or advance to, any step specified above, dependent upon the nature of the infraction.

G. Disciplinary Action may only be appealed in accordance with the Grievance Procedure.

2. **DISCIPLINARY ACTION FORM:** The Disciplinary Action Form is to be completed for all steps of Disciplinary Action.

A. The Disciplinary Action Form is completed as set forth below:

1. The infraction and previous Disciplinary Action are stated.
2. A warning is stated that committing the same, similar, or other infraction will result in further Disciplinary Action up to and including discharge.
3. The Disciplinary Action Form is given to an employee by his/her immediate supervisor in a conference discussing the Disciplinary Action.
4. The form is signed by the immediate supervisor, the Division or Department Head and the employee. If the employee refuses to sign the form, the refusal is noted in the space designated for the employee's signature.

B. When the disciplinary Action is for discharge, Section 2 of paragraph A does not apply.

C. Copies of the Disciplinary Action Form are distributed as follows:

1. The employee.
2. The Hektoen Department of Human Resources.
3. Director of Human Resources.
4. The recognized employee representative or organization, if any.

3. **VERBAL REPRIMAND:** A verbal reprimand is given for an infraction for which there has been counseling, or for the first infraction of a minor nature.
  1. A verbal reprimand is documented on a Disciplinary Action Form and given to an employee in a meeting.
  2. The Disciplinary Action Form is completed and distributed as specified previously.
  3. A Disciplinary Action Form documenting a verbal reprimand will be disregarded if after one (1) calendar year there has been no further disciplinary action.
  
4. **WRITTEN REPRIMAND:** A written reprimand may be given when there has been previous Disciplinary Action, or the first infraction of a more serious nature.
  1. A written reprimand is documented on a Disciplinary Action Form and given to an employee.
  2. The Disciplinary Action Form is completed and distributed and specified previously.

**V. SUSPENSION FOR THIRTY (30) CALENDAR DAYS OR LESS:**

Suspension for thirty (30) calendar days or less may be given when there has been previous Disciplinary Action or for the first infraction of a more serious nature.

1. Prior to suspending an employee for thirty (30) calendar days or less, the Director or Department Head must notify the Hektoen Institute Personnel Office. Other offices under the jurisdiction of the President of the Board of County commissioners, Supervisors, or Section Heads must notify the Hektoen Institute Department Head.
2. A suspension for thirty (30) calendar days or less is documented on a Disciplinary Action Form and given to an employee in a conference, after approval of the Division or Department Director.
3. The Disciplinary Action Form is completed and distributed as specified previously.

**VI. SUSPENSION MORE THAN THIRTY DAYS OR DISCHARGE:**

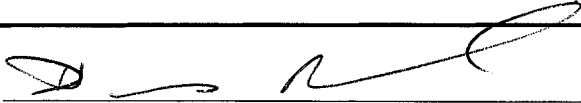
- A. The Immediate supervisor or Division or Department Director has the authority to recommend the suspension for more than thirty days or discharge of an employee, subject to review and approval by the Hektoen Institute Director/Designee and Hektoen Institute. Suspension for a period for more than 30 days or discharge is invoked for just cause, which is as follows:
1. Repetition of the same or similar infractions or a combination of infractions for which there has been progressive Disciplinary Action.
  2. Commission of an infraction defined as Major Cause as specified previously.
- B. After reviewing all relevant documentation such a previous Disciplinary Actions, performance evaluations, incident reports, police reports, etc., the Department Manager holds a conference with the employee, Division Director, and any other persons deemed necessary. Either during the conference or not later that fourteen (14) calendar days following the conference, the Hektoen Institute HR Manager/Designee, or Hektoen Institute coordinator in the case of other offices, approves and directs one of the following:
1. The employee is to be suspended for more than thirty days or discharged.
  2. That the employee is given lesser Disciplinary Action than recommended and directs implementation.
  3. That the employee is not given Disciplinary Action and directs that all record of the recommendation to suspend or discharge whichever is applicable, be removed form the employee's personnel file.
- C. The decision of the Hektoen Institute Director/Designee, or Hektoen Institute coordinator in the Case of other offices, is distributed as set forth below:
1. The employee, via registered or certified mail, telegram, or mailgram to his last known home address.
  2. The Hektoen Institute Personnel Office, or Hektoen Department of Human Resources in other cases.
  3. The recognized employee representative or organization, if any.

**VII. TEMPORARY SUSPENSION:** A temporary suspension may be given prior to any step of Disciplinary Action when the presence of the employee is dangerous or will result in the disruption of operations or when major cause is alleged and time is needed to conduct an investigation. In no case shall a temporary suspension exceed fourteen (14) days.

**VIII. REPRESENTATION\*:** Employees may have a representative of their own choosing at any step of disciplinary action, except as follows:

1. An employee may not be represented by his Division or Department Coordinator.
2. An employee may not be represented by any member of the Personnel Department.

The right to limit the number of representatives or participants at the Discharge or Suspension Conference is reserved to the Hektoen Institute Executive Director/Designee, or Department Director in the case of other offices.

Approved by:  Date: 4/10/12

Job Title: ADMINISTRATOR