

Upon written notification of the disciplinary procedures, the HR Coordinator will retain the file resulting from the investigation in an internal affairs file. A written summary of the disposition of the investigation and any disciplinary action should be retained in the employee's personnel file in accordance with the applicable provisions of this manual.

XI. DISCIPLINARY PROCEDURES

Discipline

The tenure of every employee is conditioned on satisfactory work performance and the availability of funds. Except as otherwise justified by circumstances or required by law, the City shall follow the principles of progressive discipline. It is the City's philosophy that discipline is to be used to correct behavior rather than to punish. Discipline shall be based on the type of misconduct involved, the total facts giving rise to the discipline, and the employee's work record. Any infraction may be deemed as cause for disciplinary action. It shall be understood that serious misconduct and/or violation of law may result in disciplinary action without a prior record of progressive disciplinary action taken against an employee.

An employee may be disciplined, suspended, demoted or terminated for any reason including but not limited to the following:

- Violation of federal, state or local laws or regulations, or violation of City policy, rules or regulations.
- Conviction of a felony.
- Refusal or failure to perform duties as outlined in the employee's job description.
- Repeated substandard performance evaluations.
- Falsification of employment application, time sheets, or other official records.
- Any substance abuse that impairs or interferes with the ability of an employee to perform the functions of their particular position.
- Abuse of leaves of absence.
- Loss, damage, destruction, or theft of City property, records or information.
- Unauthorized use of City vehicles or property.
- Safety violation that endangers life, limb, or property, even if it did not result in an accident.
- Employees who are injured due to negligence, violations of personnel or safety manual rules or manufacture's guidelines, may be disciplined according to the City's disciplinary procedures. It shall be understood that negligence and/or violation of employment or safety rules or laws may result in other disciplinary action without a prior record of progressive disciplinary action having been taken against an employee.
- Employees who exhibit a pattern of chronic negligence in safety procedures, may have disciplinary actions taken against them without regard to the progressive disciplinary steps stated in our manual, up to and including suspension, demotion and or termination

- Fighting or provocation leading to fighting on City property, at City functions, or at such place, situation or time that brings disrepute to the City and its employees.
- Failure to cooperate with an internal investigation or direct orders.
- Failure to truthfully and completely respond to and participate in City investigations and matters related to City functions as requested by supervisors or managers.

In addition to the above, all employees are expected to conduct themselves in accordance with generally accepted norms of work behavior which will reflect favorably on the employee, the personnel system and the City. Since violations of certain regulations are more serious than others, and because each situation must be weighed individually, no specific disciplinary action is mandatory. Depending upon the severity and/or frequency of the infraction, one or more of the following actions may be taken:

Informal Warning
Written Reprimand
Probation
Suspension
Demotion
Termination

Appeals For Discipline Process

1. Employees must first discuss the nature of their complaint with their immediate supervisor. If the complaint cannot be resolved informally, it must be provided in writing to the Department Head and Human Resources Coordinator within five (5) working days of the incident giving rise to the complaint.
2. Upon receipt of such timely written complaint, the Department Head will review the complaint.
3. If a resolution satisfactory to the employee is not made by the Department Head within (5) working days of the filing of the written complaint, the complainant may appeal an issue involving a demotion and/or suspension without pay for five (5) of more working days in writing within five (5) working days to the City Administrator.
4. Upon receipt of a timely appeal, the City Administrator may call an informal meeting with the Human Resources Coordinator, the employee and the Department Head. Decisions of the City Administrator are final.