

**COUNTY BOARD OF HEALTH
POLICY # HR-03107
PROGRESSIVE DISCIPLINE POLICY**

Approval:		<i>1/17/2020</i>
	Pamela Logan, District Health Director	Date



Public Health
Prevent. Promote. Protect.

1.0 PURPOSE

The purpose of this policy is to provide a progressive disciplinary guideline for County Board of Health (CBOH) employees and managers.

2.0 AUTHORITY—The County Board of Health (CBOH) Progressive Discipline Policy is published under the authority of the CBOH.

3.0 SCOPE

This policy applies to all employees (classified and unclassified) of the County Board of Health.

4.0 POLICY

The progressive discipline policy and procedure is designed to provide a structured corrective action process to improve and prevent the recurrence of undesirable behavior and/or performance issues.

5.0 DEFINITIONS

5.1 HR – Human Resources

5.2 CBOH – County Board of Health

5.3 DHD – District Health Director

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5.4 FLSA – Fair Labor Standards Act

6.0 RESPONSIBILITIES

- 6.1 Human Resources (HR) is responsible for issuing and updating procedures to implement this policy.
- 6.2 It is the responsibility of each CBOH employee to read and adhere to the policy and procedures provided herein.

7.0 PROCEDURE

- 7.1 Outlined below are the steps of the progressive discipline policy and procedure. CBOH reserves the right to combine or skip steps depending upon the circumstances of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered depend upon whether the offense is repeated despite coaching, counseling and/or training, the employee's work record, and the impact the conduct and performance issues have on the organization.
- 7.2 Adverse Actions for Classified Employees (refer to Disciplinary & Dismissal Actions Policy) also applies to the Progressive Disciplinary Process. Adverse action occurs when a disciplinary action results in the suspension without pay, demotion, reduction in salary, or dismissal of a classified employee. The progressive disciplinary steps are the same, but require (a) at least fifteen (15) calendar days advance written notice of the proposed action stating the specific charges or reasons for which the action is to be taken; (b) a reasonable time in which to refute such charges; and (c) written determination of the final action. The policy for Disciplinary & Dismissal Actions for Classified Employees includes the specific requirements and procedures. Any adverse impact related discipline step must be reviewed for pre-approval by HR.

7.2.1 STEP 1: Verbal Warning

This step creates an opportunity for the immediate supervisor to schedule a meeting with the employee to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or violation of company policies and procedures. The supervisor is expected to clearly outline expectations and

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steps the employee must take to improve performance or resolve the problem.

7.2.2 STEP 2: Written Warning (e.g. Letter of Concern)

While it is hoped that the performance, conduct or attendance issues that were identified in step 1 have been corrected, this may not always be the case. A written warning involves a more formal documentation of the performance, conduct or attendance issues and consequences.

During step 2, the immediate Supervisor/Manager upon the approval of HR representative will meet with the employee and review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations. A warning outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken, may also be included in the written warning. This written warning may also be presented in a Performance Improvement Plan (PIP) format for Performance related deficiencies.

The employee will be asked to sign this document to acknowledge receipt of the Written Warning.

7.2.3 STEP 3: Written Reprimand and/or Suspension (e.g. Letter of Reprimand)

During step 3, immediate Supervisor/Manager upon the approval of HR will meet with the employee and review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance and/or conduct expectations. A document outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken, may also be included in the final written reprimand. This final reprimand may also be presented in a Performance Improvement Plan (PIP) format for Performance related deficiencies.

The employee will be asked to sign this document to acknowledge receipt of the Written Reprimand.

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There may be performance, conduct or safety incidents so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the DHD may suspend the employee with or without pay pending the results of an investigation.

If the seriousness of the infraction warrants the employee be suspended without pay it should be done in full-day increments consistent with federal, state and local wage-and-hour employment laws. Employees may not substitute or use an accrued paid annual leave or sick day in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee.

Important Note: Suspension without pay is considered an adverse action for classified employee and must be reviewed and pre-approved by the DHD.

7.2.4 STEP 4: Recommendation for Termination of Employment

The last and most serious step in the progressive discipline process is a recommendation to terminate employment. Generally, the supervisor/manager will try to exercise the progressive nature of this policy by first providing a verbal warning, written warning, a written reprimand, and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, the DHD reserves the right to combine and/or skip steps depending upon the circumstances and egregiousness of each situation and the nature of the offense. Furthermore, unclassified employees may be terminated without prior notice or progressive disciplinary action. All recommendations for termination of classified and unclassified employees will be reviewed and approved by the DHD prior to any termination decision for an employee.

The employee is not required to sign this document.

NOTE: Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read

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or construed as modifying or altering the employment-at-will relationship between the County Board of Health and its employees.

Progressive Discipline Chart*

Step One	Verbal Warning
Step Two	Written Warning
Step Three	Written Reprimand and/or Suspension
Step Four	Recommendation for Termination

* The DHD reserves the right to combine or skip steps depending upon facts of each situation and the nature of the offense.

8.0 REVISION HISTORY

REVISION #	REVISION DATE	REVISION COMMENTS
0	November 7, 2019	Initial Issue

9.0 RELATED FORMS

*Performance Improvement Plan
Progressive Discipline Action Form*