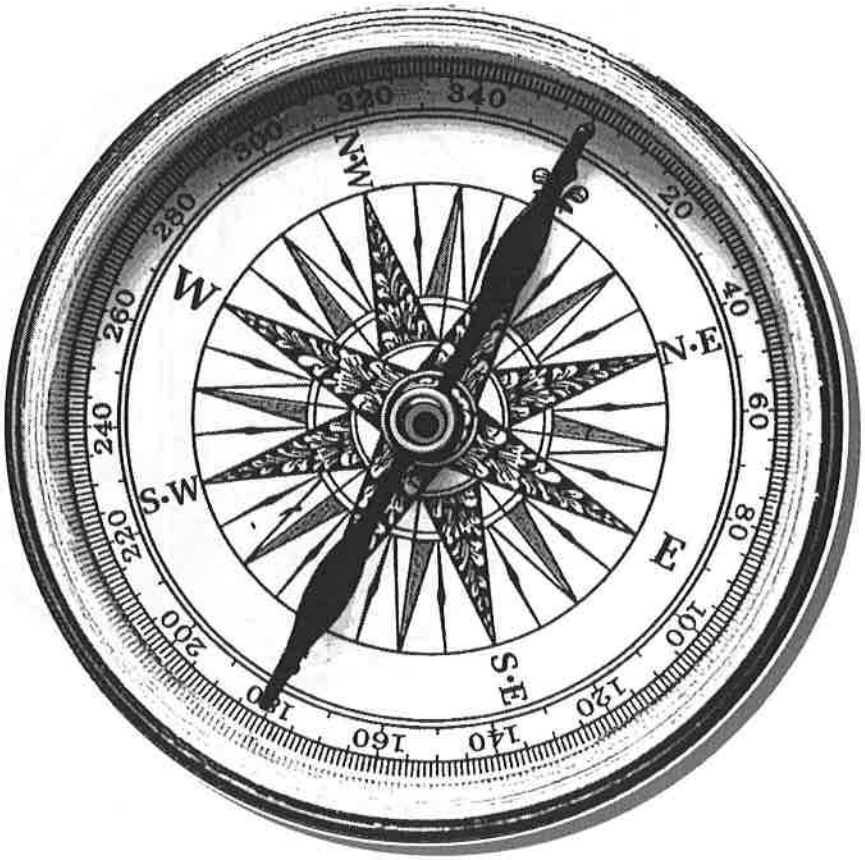
Countywide Discipline Guidelines: For Employees



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Countywide Discipline Guidelines: For Employees

The following list of causes for discipline is a representative sample, and not intended to be all-inclusive. They represent those violations that are common across County departments, irrespective of the specific departmental role. We have evaluated various County departmental discipline guidelines and relied upon our experience before the Civil Service Commission to develop this list of causes for discipline.

This list is intended as a guide only, and requires the use of managerial discretion in relation to scope of the actual infraction being considered. It is impractical to establish a set of disciplinary actions which can cover every possible offense, and we do not attempt to do so here. It is imperative that management look at the totality of the circumstances surrounding a particular offense, or set of offenses, in order to determine the appropriate administrative response.

Built into these guidelines, is some degree of flexibility in determining the appropriate level of discipline. This may result in an administrative action more or less severe than those listed in these guidelines. Only a weighing of all relevant factors, exercising good judgment, and consultation with your Human Resources Office will lead to an appropriate decision.

We remind each reader of these guidelines that whenever possible, engage in preventative workplace strategies that enable management to address and correct employee behavior before formal discipline is necessary.

Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
I. ATTENDANCE				
A.	Failure to notify supervisor regarding absence or late arrival within policy time limits	Warning to 5-Day Suspension	10 to 30-Day Suspension	30-Day Suspension to Discharge
B.	Excessive Tardiness, which may include but not limited to failure to report to work at the designated work location on the scheduled work time (See, DHR PPG 531)	Warning to 5-Day Suspension	10 to 30-Day Suspension	30-Day Suspension to Discharge
C.	Unauthorized or Unscheduled Absences, which may include, but not limited to failure to report to work or to remain at work as scheduled, failure to return to work following a break on time, or leaving work early without prior supervisory approval (See, DHR PPG 531)	Warning to 10-Day Suspension; 30-Day Suspension; or Discharge	15 to 30-Day Suspension; Discharge	Discharge

Note: These Guidelines approach discipline progressively; however, Management reserves the right to impose discipline based on the totality of the circumstances, up to discharge from County service

Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
D.	Absence from duty without authorized leave after having been denied permission to take such leave	3 to 15-Day Suspension	20 to 30-Day Suspension; Discharge	Discharge
E.	Misuse/Abuse of Sick Leave, which may include, but not limited to excessive use of Sick Leave, taking Sick Leave when the employee is not sick, having recurring Sick Leave absences on certain days such as Mondays or Fridays or around holidays, or taking Sick Leave following the denial of a day off (See, DHR PPG 530 and County Code 5.16.040)	1 to 10-Day Suspension; 30-Day Suspension; or Discharge	15 to 30-Day Suspension; Discharge	Discharge
II.	**DISRESPECTFUL CONDUCT / INSUBORDINATION**			
A.	Delay in, or lack of following instructions from, or lack of cooperating with supervisor, higher-ranking agency personnel or management representative	Warning to 10-Day Suspension	15 to 30-Day Suspension; Reduction	Reduction or Discharge
B.	Failure to follow established rules or regulations	Warning to 10-Day Suspension	15 to 30-Day Suspension; Discharge	Reduction or Discharge
C.	Disclosure of confidential information pertaining to administrative investigation	Warning to 10-Day Suspension; Reduction; or Discharge	15 to 30-Day Suspension; Reduction; or Discharge	Discharge
D.	Failure to cooperate in an administrative investigation (See, DHR PPG 910)	1 to 10-Day Suspension; Reduction; or Discharge	15 to 30-Day Suspension; Reduction; or Discharge	Discharge
E.	Providing false information in the course of an administrative investigation	1 to 15-Day Suspension; Reduction; Discharge	30-Day Suspension; Reduction; Discharge	Discharge
F.	Insubordination or refusal to follow instructions of a supervisor or higher ranking agency personnel, including behavior demonstrating disregard or disrespect of supervisor (or higher ranking agency personnel) or directions of supervisor or higher ranking agency personnel	1 to 15-Day Suspension; Reduction; Discharge	30-Day Suspension; Reduction; Discharge	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
III. DISHONESTY, THEFT, MISAPPROPRIATION, AND RELATED MISCONDUCT				
A.	Falsification of application or material omission of information for employment or promotion when it affects acceptance or rejection for employment or promotion	Applicant: Do Not Hire. Permanent Employee: 15 to 30-Day Suspension; Reduction; or Discharge	Reduction or Discharge	
B.	Falsification or material omission of required information from employee information sheet and/or employment application form when it does not affect acceptance or rejection for employment or promotion	Applicant: Do Not Hire. Permanent Employee: 1 to 30-Day Suspension; Reduction; or Discharge	Reduction or Discharge	
C.	Any form of cheating in a County Civil Service examination or placement interview process; including but not limited to unauthorized possession, use, or distribution of examination or interview material; participating in an examination for another person; or, falsifying or possessing falsified test entry notice(s)	Applicant: Do Not Hire; 30-Day Suspension; Discharge	Discharge	
D.	Failing to report outside employment (and not engaged in outside employment)	Warning to 5-Day Suspension	10 to 30-Day Suspension; Discharge	30-Day Suspension; Discharge
E.	Engaging in and failing to report employment or activity constituting a conflict of interest	5 to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
F.	Using official position or office for personal gain or advantage	5 to 15-Day Suspension; Discharge	20 to 30-Day Suspension; Discharge	Discharge
G.	Falsifying, concealing, removing, mutilating, or destroying reports or documents	10 to 30-Day Suspension; Reduction; or Discharge	30-Day Suspension; Discharge	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
H.	Withholding information from superiors, fellow employees, subordinates, public clients of the County which could or does result in loss, injury, or damage to those individuals or the County	15 to 30-Day Suspension; Discharge	Discharge	
I.	Material submission of false time or financial records, including but not limited to Mileage Claim Forms, Field Itinerary Reports, etc.	15 to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
J.	Inaccurate or material submission of inaccurate time cards for self or other employees	1 to 10-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge
K.	Falsification or material submission of false time cards for self or other employees	15 to 30-Day Suspension; Discharge	Discharge	
L.	Working for another employer or self-employed while on approved leave of absence when such work has not been authorized by the Department	1 to 30-Day Suspension; Discharge	Discharge	
M.	Making false statements, misrepresenting information, or omissions about possession of a valid California Drivers License or timely notification following licensure revocation or change in status	1 to 30-Day Suspension; Discharge	Discharge	
N.	Misuse or falsification of sick time or submission of falsified/altered medical statement	30-Day Suspension; Discharge	Discharge	
IV. INAPPROPRIATE CONDUCT IN VIOLATION OF COUNTY POLICY OF EQUITY				
A.	Inappropriate conduct toward others based on protected characteristic(s) when such conduct reasonably would be considered inappropriate for the workplace (See, County Policy of Equity)	Reprimand to 10-Day Suspension	15 to 30-Day Suspension; Discharge	Discharge
B.	Engaging in disparate or adverse treatment of an individual's protected characteristic(s) in violation of the County Policy of Equity (See, County Policy of Equity)	Reprimand to 10-Day Suspension	20 to 30-Day Suspension; Discharge	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
C.	Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature which meets any of the following three criteria in the County Policy of Equity:			
	1.) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment	Reprimand to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
	2.) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual	Reprimand to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
	3.) Such conduct has the purpose or effect of unreasonably interfering with the individual's employment or creating an intimidating, hostile, offensive, or abusive working environment	Reprimand to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
D.	Engaging in an adverse employment action against another for reporting a protected incident or filing a complaint of conduct or participating in an investigation or administrative proceeding or otherwise exercising their rights or performing their duties under the County Policy of Equity	30-Day Suspension; Discharge	Discharge	
E.	Engaging in harassment (other than sexual) of an individual's protected characteristic(s) is prohibited under the County Policy of Equity. Harassment is conduct which has the purpose or effect or unreasonably interfering with an individual's work performance or creating an intimidating, hostile, offensive, or abusive work environment	Reprimand to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
F.	Engaging in third person harassment; which is the indirect harassment of a bystander, even if the person engaging in the conduct is unaware of the presence of the bystander	Reprimand to 10-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
G.	Engaging in an inappropriate social or sexual relationship with clients, patients or persons for whom the Department provides services	30-Day Suspension; Discharge	Discharge	
V. MISUSE OF COUNTY EQUIPMENT OR PROPERTY				
A.	Unauthorized use or misuse of County equipment and/or resources such as, postage, telephones, computers, social media technologies and/or photocopy machines for personal use (See, Board Policy 6.101 and 6.105 and DHR PPG 1040)	Warning to 15-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge
B.	Unauthorized use, operations, or possession of equipment, machines, or tools to which the employee has not been assigned; or unauthorized performance of duties other than those assigned	Warning to 30-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge
C.	Causing willful or negligent destruction or loss of County property, equipment or supplies, documents, or of personal property of public, patients, or other employees, or superiors	5 to 30-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
D.	Misappropriating or unauthorized taking of County equipment, property, or supplies, or property of public, patients, or other employees, or superiors	15 to 30-Day Suspension; Discharge	Discharge	
E.	Unauthorized or improper accessing of confidential files, records, or any portion of a record, including but not limited to: participants, clients, patients, or employee personnel	Reprimand to 15-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge
F.	Unauthorized or improper use or disclosure of confidential information, including but not limited to, medical records, personnel records, credential files to self or others	10 to 30-Day Suspension; Reduction; or Discharge	30-Day Suspension; Discharge	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
VI. ON- OR OFF-DUTY CRIMINAL OR UNBECOMING CONDUCT				
A.	Conviction of any crime which constitutes a job nexus to County employment (See, DHR PPG 514 and CSR 18.031)	15 to 30-Day Suspension; Discharge	Discharge	
B.	Criminal or unbecoming conduct while performing duties, or on County premises, or during working hours, or when such conduct is related to the employee's duties or interest of the Department or County; or promoting such criminal or unbecoming conduct (See, DHR PPG 514 and CSR 18.031)	30-Day Suspension; Discharge	Discharge	
C.	Conviction of crimes (whether felony or misdemeanor or infraction) or unbecoming conduct that may include, but not limited to, illegal drugs, theft, inappropriate sexual behavior, crimes against persons or property, etc. (See, DHR PPG 514 and CSR 18.031)	30-Day Suspension; Discharge	Discharge	
VII. PERFORMANCE TO STANDARDS OR EXPECTATIONS				
A.	Carelessness or inattention to duties resulting in improper service being rendered to clients, patients, public or resulting in impairment of a County function	Warning to 15-Day Suspension; Reduction; Discharge	20 to 30-Day Suspension; Reduction; Discharge	Reduction or Discharge
B.	Discourtesy with fellow employees; may include, but not limited to, disrespectful, insulting, abusive language or conduct	Warning to 10-Day Suspension; Discharge	15 to 30-Day Suspension; Discharge	Discharge
C.	Discourtesy to the public or clients/patients (See, DHR PPG 1041)	5 to 15-Day Suspension; Discharge	30-Day Suspension; Discharge	Discharge
D.	Carrying on personal business during working hours	Warning to 10-Day Suspension	15 to 30-Day Suspension	Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
E.	Shirking work or failing to perform a full day's work	Warning to 5-Day Suspension	10 to 20-Day Suspension	30-Day Suspension; Discharge
F.	Work performance fails to meet job expectations, standards or requirements - whether implied or explicit	Warning to 10-Day Suspension	15 to 30-Day Suspension; Reduction	Reduction or Discharge
G.	Asleep or inattentive while on duty in normal work periods	Warning to 10-Day Suspension	15 to 30-Day Suspension; Discharge	Discharge
H.	Failure to exercise sound judgment which results in loss of, or injury, or damage to persons or property of the County or of County service	Reprimand to 15-Day Suspension; Reduction; Discharge	20 to 30-Day Suspension; Reduction; Discharge	Discharge
I.	Failure to maintain prescribed records which result in loss to Department or loss or injury to persons or property	Warning to 15-Day Suspension; Reduction; Discharge	20 to 30-Day Suspension; Reduction; Discharge	Discharge
J.	Failure to answer County telephones promptly, courteously and with a businesslike identification of the office and person answering the telephone	Warning to 5-Day Suspension	10 to 20-Day Suspension	30-Day Suspension; Discharge
K.	Violation of the departmental or externally recognized code of ethics of the professional group of the employee	5 to 15-Day Suspension; Discharge	Discharge	
L.	Failing to use necessary and prescribed authority in discharge of duties	Warning to 10-Day Suspension; Reduction	15 to 30-Day Suspension; Reduction	Reduction; Discharge
M.	Failure to carry out supervisory duties and responsibilities adequately and promptly	Reprimand to 10-Day Suspension; Reduction	15 to 30-Day Suspension; Reduction	Reduction or Discharge

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Offenses and Ranges of Discipline

	OFFENSE	FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
N.	Abuse of supervisory or management authority, or conduct unbecoming a position of authority	Reprimand to 15-Day Suspension; Reduction; Discharge	20 to 30-Day Suspension; Reduction; Discharge	Discharge
VIII. UNDER THE INFLUENCE / IMPAIRED				
A.	Consuming or under the influence of alcohol while on-duty or on County property	10 to 30-Day Suspension; Reduction; Discharge	Reduction; Discharge	
B.	Possession alcohol while on-duty or on County property	1 to 30-Day Suspension; Reduction; Discharge	30-Day Suspension; Reduction; Discharge	Discharge
C.	Consuming or under the influence of illegal or non-prescribed drugs or narcotics while on-duty or on County property	15 to 30-Day Suspension; Reduction; Discharge	Discharge	
D.	Possession of illegal or non-prescribed drugs or narcotics while on-duty or on County property	15 to 30-Day Suspension; Reduction; Discharge	Discharge	
E.	Operating County vehicle, equipment, or personal vehicle for County business, while under the influence of alcohol, non-prescribed drugs or narcotics or prescribed drugs; which may include positive test results from Department of Transportation Random Drug and Alcohol Test	20 to 30-Day Suspension; Reduction; Discharge	Discharge	
IX. THREATENING BEHAVIOR / WORKPLACE VIOLENCE				
A.	Implied threat or threatening behavior that is intimidating or of sufficient gravity to cause fear that is directed at, or about, any employee, client, patient or member of the public, whether on- or off-duty (See, DHR PPG 620)	15 to 30-Day Suspension; Discharge	Discharge	

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Offenses and Ranges of Discipline

OFFENSE		FIRST OCCURRENCE	SECOND OCCURRENCE	THIRD OCCURRENCE
B.	Threatening bodily harm in person or by other means (e.g., telephone, fax, computer, electronic mail, written note or correspondence, etc.) to another, attempting to cause injury or intimidate another; may include threats of violence directed at any employee, patient, member of the public, or a County facility, whether on- or off-duty (See, DHR PPG 620)	15 to 30-Day Suspension; Discharge	Discharge	
C.	Fighting with, striking, or use of physical force on another (See, DHR PPG 620)	15 to 30-Day Suspension; Discharge	Discharge	

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