

Kingman County
Kansas
Personnel Policy Manual

Policy # 4
Disciplinary Action

Commission Approved
Date: 11-7-2011

4 Disciplinary Action

4.1 The County acknowledges that among the goals for the employment of its personnel are efficiency of work performance, safe execution of duties, positive morale among all employees, and the maintenance of a respectful work environment. Employees who violate County policies, who engage in certain conduct or behavior, or whose performance is unacceptable shall be subject to disciplinary actions. Some instances warrant immediate termination while other behaviors may respond to coaching and counseling combined with administering increasingly serious steps of discipline. Disciplinary actions are generally meant to correct rather than to punish behavior. Disciplinary actions should be aimed at guiding the employee, strengthening the employee's self-discipline, and improving the employee's work performance. The following steps of progressive discipline are recommendations only and are not guaranteed the use of them all by County Department Heads: (Note: as appropriate the County Commissioners will be considered Department Heads with those reporting directly to them.)

- A) Verbal warning. A verbal warning is used when the County is forced to address an employee about their behavior or conduct. The discussion should be documented by the Department Head and signed by all participants to insure acknowledgement that discipline was given and that the matter is significant and the behavior must change. Documentation should include: date of the discussion, names of any individuals present for the discussion, the subject discussed, expected outcomes (corrective action expected), and any other pertinent detail or fact.
- B) Written warning. The written warning is given to an employee who has failed to respond appropriately to a verbal warning or who has committed an offense requiring more severe action than a verbal warning. Again, the formal discussion shall be documented and signed by all participants and shall include the date of the counseling, a description of the problem behavior, the outcome expected, and an indication as to the next possible or probable steps that will occur should the employee fail to take the corrective steps. The written warning will be maintained in the employee's permanent personnel file.
- C) Suspension without pay. Suspension without pay may be imposed when the seriousness of a single offense or the employee's failure to respond to repeated reprimands warrants a greater level of disciplinary action. Length of the unpaid disciplinary suspension may be up to, but generally not to exceed, ten (10) working days. The suspension will be documented, signed, and indicating clearly the expected outcome (what the employee must do) and the next step that will result in the event of failure to improve. It is advised that one requirement during

this decision making period is for the employee to write an essay stating why they want to or should be allowed to continue to work for the County and what they plan to do to correct their problem.

- D) Termination of employment. An employee may be terminated for a first time offense, after a series of verbal or written reprimands, after a suspension without pay, or at any time as employment is At-Will.

4.2 With the exception of termination, any step (A-C) may be repeated or supplemented with other corrective steps. Supplemental actions may include, but are not limited to: reassignment to a different department on a temporary or permanent basis, demotion with loss of wages, and/or required consultation with an appropriate health care provider.

4.3 Anytime disciplinary action is required it is recommended to let County's Human Resources Administrator (HRA) know of the circumstances as soon as possible. When available, the County Counselor and / or the HRA shall review any recommended stage of discipline being pursued. The HRA will keep the Board of County Commissioners informed of any disciplinary action. An exception to notification is in the case whereby immediate suspension is required to maintain a safe working environment.

- 4.4 The following aspects most generally should be taken into consideration when determining the appropriate step to take:
- a) *The seriousness of the infraction.* As an example, horseplay that results in injury to the employee or others is generally considered more serious than extending one's rest-break by a few minutes.
 - b) *Whether or not the action was illegal.* As an example, harassment (sexual, racial, religious, or otherwise) is strictly prohibited by federal law and is not tolerated by Kingman County.
 - c) *Patterns of repeated abuse, problem conduct, or absenteeism.* Ongoing patterns of repeating the problem behavior indicate the need to progress to other/additional steps of corrective action.
 - d) *The nature of the problem behavior.* Some problem behaviors, such as absenteeism, may respond to progressive discipline whereas others warrant an immediate and permanent correction. Fighting, personal conflicts, and other forms of physical aggression or intimidation warrant immediate suspension and/or subsequent termination.
 - e) *Date of the last counseling.* If the employee has been counseled about a problem behavior and repeats the behavior soon thereafter (within days or weeks), a progressive step of corrective action would be warranted.

The above listing of considerations is not all-inclusive. However, it must be acknowledged that Department Heads will have the latitude to take steps that are most appropriate for their departments and organizational needs.