



Unified Government Human Resources Guide

Effective 07-01-2017

RULES AND DISCIPLINE

- I. General: All employees are expected to comply with the Unified Government's standard of behavior and performance and any noncompliance with these standards will result in corrective action
- II. Policy
 - A. Under normal circumstances, the Unified Government endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. **THIS POLICY DOES NOT MODIFY THE STATUS OF EMPLOYEES AS EMPLOYEES-AT-WILL OR IN ANY WAY RESTRICT THE UNIFIED GOVERNMENT'S RIGHT TO BYPASS THE DISCIPLINARY PROCEDURES SUGGESTED.**
 - B. Exempt employee discipline: Except for infractions of safety rules of major significance, exempt employees will not be subject to disciplinary suspension without pay of less than one week.
 - C. Progressive Discipline Application
 1. If an employee is not meeting Unified Government standards of behavior or performance, the employee's supervisor should take the following action:
 - a. Meet with the employee to discuss the matter;
 - b. Inform the employee of the nature of the problem and the action necessary to correct it;
 - c. Warn the employee that a second incident will result in more severe disciplinary action; and
 - d. Prepare a memorandum for the supervisor's own records indicating that the meeting has taken place.
 2. If there is a second occurrence, the supervisor should hold another meeting with the employee and take the following action:
 - a. Issue a written reprimand to the employee;
 - b. Warn the employee that a third incident will result in more severe disciplinary action; and
 - c. Prepare and forward to Human Resources a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This report will be included in the employee's personnel file and will be considered toward progressive discipline for a period of 12 months.



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3. If there are additional occurrences, the supervisor should take one of the following actions, depending on the severity of the conduct:
 - a. Issue a written reprimand;
 - b. Suspend the employee for up to five working days; or
 - c. Suspend the employee indefinitely and recommend termination.
 - d. The supervisor also should prepare and forward to Human Resources a written report describing the first and second incidents and summarizing the action taken during the meeting with the employee. This report will be included in the employee's personnel file and will be considered toward progressive discipline for a period of 18 months.
4. In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a major breach of policy or violation of law, the procedures contained in Section C. 1, 2 & 3 above may be disregarded and the following action taken:
 - a. The supervisor, after consultation with the department head and Human Resources, will suspend the employee immediately.
 - b. An investigation of the incidents leading up to the suspension will be conducted and a written report completed summarizing the incident and recommended discipline. This report is to be forwarded to Human Resources. This report will be included in the employee's personnel file.
 - c. Human Resources will review all recommendations for termination before any final action is taken.
 - d. Depending on the length of suspension, the employee may not receive or accrue any employee benefits during the suspension.
 - e. If termination is recommended, the employee must first be suspended pending the final termination decision. The department head must contact the Director of Human Resources or his or her designee and provide the necessary documentation to support the decision to terminate. Human Resources will then consult with Legal. The recommendation for termination must be approved by the County Administrator.
 - f. The department head is responsible for submitting documentation of disciplinary actions to Human Resources to be kept in the centralized file system maintained by Human Resources.
 - g. The department head is responsible for completing and submitting a Personnel Action Notice (PAN) with supporting documentation when an employee is suspended or terminated.



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5. Employees who believe they have been disciplined too severely or unfairly may choose to use the Grievance Procedure.

D. Rules and discipline guidelines

These rules are not considered or intended to include all situations where disciplinary action may be required. Good judgment and common sense need to be applied. A more severe penalty than indicated may be imposed if warranted by the circumstances.

E. Penalties:

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|-----------------|---|
| Verbal Warning | A |
| Written Warning | B |
| Suspension | C |
| Termination | D |

A combination of two or more violations may result in greater discipline, up to and including termination.

#	Rule Violation	Discipline			
		1st	2nd	3rd	4th
1	Falsifying employment application or other applicant documentation	D			
2	Falsifying UG records	Penalty to be determined by circumstances			
3	Dishonesty	Penalty to be determined by circumstances			
4	Unauthorized disclosure of UG records	Penalty to be determined by circumstances			
5	Theft of UG property or the property of another	D			
6	Conviction of a felony while employed with the UG	D			
7	Conviction of a misdemeanor while employed with the UG	Penalty to be determined by circumstances			
8	Failure of a supervisor to discipline an employee for violating a UG policy or procedure	Penalty to be determined by circumstances			
9	Threatening or committing assault or battery on a UG employee or member of the public in the workplace, on UG property, or in connection with the conduct of UG business	Penalty to be determined by circumstances			



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#	Rule Violation (Cont'd)	Discipline			
		1st	2nd	3rd	4th
10	Fighting or attempting to provoke a fight with a UG employee or member of the public in the workplace, on UG property, or in connection with the conduct of UG business	Penalty to be determined by circumstances			
11	Intentionally intimidating or attempting to intimidate another person	Penalty to be determined by circumstances			
12	Possessing a weapon in a UG building (City Hall, Courthouse, Court Services or Police Headquarters)	Penalty to be determined by circumstances			
13	Failing to keep the employee's handgun concealed or in his or her possession at all times or interferes delays, or hinders the ability to carrying out or respond to work duties.	B	C	D	
14	Any physical or verbal reference that an employee is in possession of a weapon or any display of a weapon	C	D		
15	Openly carrying a firearm while conducting UG business	C	D		
16	Unlawful discharge of a handgun	D			
17	Possessing a weapon that the employee is not legally qualified to carry	D			
18	Failing to notify supervisor of another employee's violation of Violence-Free Workplace policy	Penalty to be determined by circumstances			
19	Failing to report an absence to appropriate personnel or to follow departmental attendance policy	A	B	C	D
20	Reported, but unexcused absence	A	B	C	D
21	Excessive absenteeism and tardiness as defined by department policy	A	B	C	D
22	Leaving assigned job or work area without permission	A	B	C	D
23	Taking more than the specified time for lunch or break periods	A	B	C	D
24	Failing to work harmoniously with other employees	A	B	C	D
25	Sleeping during work hours	Penalty to be determined by circumstances			
26	Deliberately reducing work effort or production	Penalty to be determined by circumstances			
27	Engaging in horseplay or disruptive behavior	Penalty to be determined by circumstances			



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#	Rule Violation (Cont'd)	Discipline			
		1st	2 nd	3 rd	4th
28	Engaging in inappropriate behavior in the workplace	A	B	C	D
29	Gambling while on UG premises or during working hours	Penalty to be determined by circumstances			
30	Enabling or allowing unauthorized personnel to access restricted areas on UG premises, including use of pass card, access card, or keys	Penalty to be determined by circumstances			
31	Failing to have UG identification card on person during working hours	A	B	C	D
32	Inefficiency or negligence in the performance of duties	A	B	C	D
33	Failing to comply with applicable dress or uniform requirements	A	B	C	D
34	Violating residency requirement	D			
35	Failing to notify Human Resources of current home address and telephone number	A	B	C	D
36	Using indecent, insulting, abusive, or profane language on duty	A	B	C	D
37	Discriminating against another employee or member of the public based upon race, color, national origin or ancestry, religion or creed, sex, pregnancy, sexual orientation, gender identity, age, or disability	Penalty to be determined by circumstances			
38	Creating a hostile, intimidating, or fearful work environment	Penalty to be determined by circumstances			
39	Bringing discredit to the UG or a department	Penalty to be determined by circumstances			
40	Violating the Code of Ethics	Penalty to be determined by circumstances			
41	Violating a safety rule	Penalty to be determined by circumstances			
42	Unauthorized use of or tampering with vehicles	Penalty to be determined by circumstances			
43	Failing to maintain proof of liability insurance equal to or above Kansas limits, if required by job position	A	B	C	D
44	Failing to report changes in drivers' license status or to maintain Kansas drivers' license, if required by job position	Penalty to be determined by circumstances			



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#	Rule Violation (Cont'd)	Discipline			
		1st	2 nd	3 rd	4th
45	Being gainfully employed with another employer or self-employed while on sick leave, injury leave, or FMLA leave for own serious injury	Penalty to be determined by circumstances			
46	Misuse of UG credit card	Penalty to be determined by circumstances			
47	Smoking in unauthorized areas or in UG vehicles	A	B	C	D
48	Insubordination	Penalty to be determined by circumstances			
49	Failure to cooperate with an investigation	B	C	D	
50	Violation of Responsible Use of Information and Technology policy	Penalty to be determined by circumstances			
51	Violation of Social Media policy	Penalty to be determined by circumstances			
52	Violation of Substance Abuse policy	See Substance Abuse policy			
53	Any other violation of a UG policy	Penalty to be determined by circumstances			

RELATED POLICIES: 7.2 Grievance Procedure

RELATED FORM(S): Disciplinary Action Report
 Personnel Action Notice