

POL.P.07.01 - Disciplinary Actions Policy

The Park District may take corrective action other than immediate termination of employment under the appropriate circumstances to address work performance and behavioral issues. The intent of corrective action is to document problems formally while providing the employee with a reasonable time in which to improve performance.

Notwithstanding the Park District's option to take corrective action in a particular situation, the Park District may apply any appropriate discipline at any time, including without limitation termination for a first violation or offense, foregoing lesser forms of discipline.

Appropriate disciplinary action may range from an oral warning, written warning, suspension, or termination of employment.

a. Oral Warnings. Oral warnings may be issued to express disapproval of conduct or poor work performance or attendance, to clarify applicable procedures or guidelines, and to warn an employee that repetition of the conduct or failure to improve work performance or attendance may result in more severe discipline including termination of employment. Written documentation of an oral warning will be placed in the employee's personnel file.

b. Written Warnings. Written warnings may include a conference between the employee and the supervisor imposing the warning, and will include a written statement expressing disapproval of conduct, poor work performance, or attendance and a warning that repetition of the conduct or failure to improve may result in more severe discipline, including termination of employment.

The employee will be asked to sign the written warning to acknowledge receipt and understanding of the reasons. A refusal to sign should be witnessed by more than one supervisor. A copy of the written warning will be placed in the employee's personnel file.

c. Suspensions. A suspension is a temporary relieving of an employee from duty. Depending on the circumstances, a suspension may be with or without pay.

- Administrative Review Suspension. Employees may be suspended or reassigned from performing their normal duties during the investigation of an accident, incident, or accusation.
- Disciplinary Suspension. Employees may be suspended for disciplinary reasons. The supervisor imposing a disciplinary suspension will meet with the employee and issue a written statement outlining the details of the suspension, including without limitation the reasons for and duration of the suspension. During the meeting, the employee will be given an opportunity to respond to the reason for the suspension.

The employee is required to sign the written notice of suspension to acknowledge receipt and be given an opportunity to provide written comments on the notice. A refusal to sign should be witnessed by more than one supervisor. A copy of the notice will be placed in the employee's personnel file.

d. Termination of Employment. An employee's employment may be terminated at any time at the will of the Park District, with or without cause (subject to any applicable collective bargaining agreement).

Generally, an employee will be issued a written notice of the reasons for the termination

including the effective date and time of termination. Under ordinary circumstances, a supervisor or designee will meet with the employee, explain the reasons for the termination, and offer the employee an opportunity to respond. The employee will be asked to sign the written notice of termination to acknowledge receipt. If the employee refuses to sign, another supervisor may be asked to witness the refusal. A copy of the notice will be placed in the employee's personnel file.

Examples of Reasons for Disciplinary Action

Reasons for disciplinary action include but are not limited to:

1. Absence from duty without permission, habitual tardiness, excessive absenteeism, or misrepresentation of material facts relating to the use of leave;
2. Extending breaks or lunches and/or not taking breaks or lunches at scheduled times;
3. Leaving the job during working hours without permission;
4. Failure to obey any lawful official rule, regulation, or order;
5. Inability or unwillingness to take orders from a supervisor;
6. Insubordinate attitude toward a supervisor and/or failure to follow supervisor's directions or requests;
7. Willful or reckless destruction of Park District supplies, materials, vehicles, equipment, tools, or other property;
8. Failure to wear uniform or safety equipment as directed, such as safety shoes, glasses, goggles, or a face shield;
9. Endangering one's safety or the safety of others by failing to act properly in the performance of job duties;
10. Engaging in criminal activity;
11. Failing to report an accident or known hazardous conditions to an immediate supervisor;
12. Gambling while on duty;
13. Fighting;
14. Being under the influence or possession of intoxicants or illegal drugs while on duty or on Park District property or failing to notify the Park District that you are taking legal drugs when such notice is required;
15. Theft, misappropriation, or the careless, negligent, or improper use of funds or property belonging to the Park District, Park District employees, or the public;
16. Possession of weapons in or on Park District property or while on duty;
17. Incompetence, inefficiency, negligence, or other failure to perform duties properly;
18. Failure to maintain a valid driver's license or other license or certification required for a Park District position;
19. Smoking in or on Park District property;
20. Violating the Park District's Equal Employment Opportunity Policy (anti-discrimination policy), Non-Discrimination and Anti-Harassment Policy, Violence in the Workplace Policy, or Conflict of Interest and Ethics Policy;
21. Dishonesty, lying to Park District personnel, or falsifying or providing misleading information on forms, records, or reports provided to or on behalf of the Park District;
22. Time card or time-keeping violations;
23. Unauthorized possession, use, or copying of any document that is the property of the Park District;
24. Sleeping on duty;

25. Excessive use of personal cellular telephones or similar devices;
26. Any violation of policies or procedures regarding the privacy of individually identifiable health information.

Review of Disciplinary Action Other Than Termination of Employment

In the case of disciplinary action other than termination, you may request a review of the action by submitting your request in writing to your immediate supervisor within five (5) working days from the date the action was taken. Your immediate supervisor may meet with you and should issue a written determination within 10 working days of receipt of your written request for review. If you are not satisfied with this determination, you may seek review by submitting a written request with a copy of the initial determination to the supervisor at the succeeding level of authority in your department within five (5) working days after the date of the initial determination. This supervisor may meet with you and should issue a written determination within 10 working days of receipt of your written request for review. If you are not satisfied with the determination at this stage, you may continue this process through each succeeding supervisory level in your department and Human Resources up to the Executive Director. Any decision of the Executive Director shall be final.

The Park District's failure to strictly adhere to the time limits or the procedure in this Policy shall not affect the resolution of any disciplinary action. This procedure should be followed to the extent that it is, in the Park District's sole discretion, practicable under the circumstances.

Review of Termination of Employment

The decision to terminate an employee's employment shall be final unless a request for review of the termination is submitted in writing to the Executive Director within five (5) working days from the date the action was taken. The Executive Director or a designee may meet with you and investigate the circumstances surrounding your termination. The Executive Director or the designee(s) should issue a written determination within 10 working days of receipt of your written request. The Executive Director's decision shall be final.

Department Heads who has been terminated may make a request to the President of the Board of Commissioners ("President") to have the termination reviewed by the Board. The Executive Director's decision to terminate the Department Head's employment shall be final unless the Department Head submits a written request for review of termination to the President within (5) working days from the date the action was taken. The President and the Board may meet with you and investigate the circumstances surrounding your termination. The President on behalf of the Board should issue a written determination within 10 working days of receipt of your written request. The Board's decision shall be final.

Nothing in this Policy shall limit or restrict the Park District's right to terminate an employee's employment at any time, with or without cause.

The Park District's failure to strictly adhere to the time limits or the procedure in this policy shall not affect the resolution of any disciplinary action. This procedure will be followed to the extent that it is, in the Park District's sole discretion, practicable. The Park District reserves the right to proceed directly to the Executive Director or designee's review of an employee's termination.