

DISCIPLINARY ACTION

Adopted: 12/13/2023

Employee behavior concerns, performance issues, and violations of policies and procedures may be addressed by SADO through progressive discipline administered in an equitable and consistent manner. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

SADO's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

SADO may use progressive discipline at its discretion. Progressive discipline means that disciplinary action may call for any of the following steps – depending on the severity of the problem and the number of occurrences.

Oral Reprimand: An informal means by which a supervisor may call to an employee's attention certain deficiencies in conduct or work performance. The reprimand is normally given by the immediate supervisor and may not necessarily be made a matter of record in the employee's personnel file.

Written Reprimand: A formal reprimand issued as a memo or letter in which the immediate supervisor describes in writing the action or behavior which the employee should change, cease or begin. The reprimand typically cites specific incidents, gives direct and concrete instructions for the future, and points out the consequences of not following the instructions. An employee receives a copy of the written reprimand, as well as the Deputy Director and Director. The reprimand is placed in the employee's personnel file, and the employee may prepare and add to the employee's file, a response to the reprimand.

Probation: Supervisors may place an employee on probation. The specific conditions of probation will be covered by this and other policies in this manual (such as *Work Assessment Period* policy) or such other terms as may be specifically required of the employee to correct the problem.

Suspension: A supervisor may recommend to the Director that an employee be temporarily suspended from employment and from SADO payroll for a definite period of time. *[Salaried exempt employees may be suspended for periods of one (or more) full workweeks at a time. In such cases, the suspension would begin on the first day of the regular workweek and end on the last day of the regular workweek.]* Some, but not all, of the situations that may lead to suspension include: (1) recurring problems or a series of difficulties; (2) engaging in violence or threats of violence; (3) pending the investigation of an offense which may result in dismissal or while criminal charges against an employee are pending. A suspension may result in a loss of pay, no accrual of annual and sick leave during the pay periods involved, no accrual of service credit which may affect the calculation of longevity pay, additional leave, and salary increases, and loss of service credit in the State Employee's Retirement System for the period of the suspension. Annual and sick leave may not be used while on suspension.

Demotion: A supervisor may demote an employee for unsatisfactory performance in the employee's position upon approval of the Director. A demotion results in the employee's salary being reduced to a level no higher than the maximum of the new pay range of the position to which the employee is assigned.

Dismissal: This action permanently removes an employee from employment with SADO. A supervisor may recommend to the Director that an employee be dismissed for misconduct, unsatisfactory work or any other lawful reason or lawful basis.

SADO recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, demotion, or dismissal, without following the progressive steps. Although a first offense may call for a verbal reprimand, and subsequent offenses may call for progressively serious action, SADO always has the discretion to bypass one or more of these steps, depending on the circumstances. While it is impossible to list every factor that may be considered, such factors may include (1) the degree of effect the offense had on the client, courts or administration of justice; (2) the degree of effect the problem had on the efficient operations of the department or office; (3) the seriousness of the problem in terms of the employee's duties and responsibilities, employee's level in the organization, and any impact on maintenance of proper discipline, employee morale, good public relations or departmental ethics; (4) the circumstances surrounding the problem; (5) previous actions taken to correct a cumulative problem(s).

By using progressive discipline, SADO seeks to address employee problems at an early stage, whenever possible, and to resolve problems fairly and expeditiously.

The employment relationship between SADO and its non-union employees is "at will". This means that either the employee or SADO may terminate the employment relationship at any time, for any reason either party considers sufficient in their sole discretion. However, to the extent that a provision of this Handbook conflicts with a provision in a collective bargaining agreement, the language in the collective bargaining agreement will prevail.