

Town of Phillipston

Progressive Discipline / Corrective Action Policy

It is essential that all employees accept personal responsibility for maintaining high standards of conduct and job performance, including the observance of Town rules and policies.

In dealing with deficiencies in conduct and work performance, the Town tries to be fair and consistent in its treatment of employees. Many factors are taken into consideration if it becomes necessary to discipline an employee, including the nature and seriousness of the offense, the employee's past record, the total impact on the employee's department and on the Town, and any mitigating or aggravating circumstances.

Rules of Behavior

The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. This is not an exhaustive list.

- Theft or any unauthorized possession, removal or attempted removal of Town property or the property of other employees.
- Falsification of job application, résumé, time sheet or any other personnel document.
- Violation of the Town's substance abuse or drug-free workplace policy.
- Gambling on Town premises or while on working time, whether on or off Town premises.
- Fighting or threatening violence in the workplace.
- Threatening, intimidating or coercive behavior, abusive or vulgar language or any other language or conduct that interferes with the performance of other employees.
- Disruptive activity in the workplace.
- Violation of the sexual harassment and/or respect for persons policies.
- Possession of a weapon or any other unauthorized item, such as firecrackers, that could pose a risk to the safety of others.
- Excessive absenteeism or absence of three days or more without notice.
- Insubordination (including, for example, any refusal to comply with instructions or to carry out work assignments) or lack of cooperation, whether in language or conduct.
- Unauthorized use of Town materials, time, equipment or other property.
- Violation of Town or departmental policies.

Disciplinary Action Policy

In general, discipline for employees is applied in progressive steps as follows:

1. Oral warning
2. Written warning
3. Final written warning, suspension and/or disciplinary probation
4. Termination of employment

The nature of the offense and the particular circumstances determine whether or not all or any of the steps in the above sequence are followed. Disciplinary steps may be omitted or repeated, as the Town determines appropriate.

The purpose of disciplinary measures short of termination is corrective, to encourage employees to improve their conduct or performance so that they may continue their employment with the Town. The Town expects all employees to behave in a mature and responsible manner and to perform their jobs conscientiously, without the need of disciplinary action. These corrective disciplinary measures will not apply in the event of any offense that the Town determines to warrant immediate termination of employment or in other circumstances when the Town determines that corrective measures would be ineffectual or otherwise inappropriate.

Disciplinary Authority

The employee's manager may issue oral and first written warnings on their own authority. Any more serious disciplinary action requires the concurrence of the Chief Administrative Officer. The Chief Administrative Officer may issue any level of disciplinary action on his/her own authority except for termination, which requires the concurrence of the Selectboard.

Oral Warnings

If an employee is given an oral warning, the employee is informed of the warning by his or her manager. The warning is also recorded by the manager in writing and the record is placed in the employee's personnel file.

Written Warnings

If an employee is issued a written warning or a final written warning, the manager will meet with the employee to discuss the disciplinary action and the employee will be asked to sign the warning. The employee's signature is only an acknowledgment that the employee has been informed of the warning; it does not indicate agreement with the warning. All written warnings are retained in the employee's file.

Disciplinary Probation

An employee may be placed on disciplinary probation for unsatisfactory performance or conduct. An employee placed on disciplinary probation will be given a written notice of probation, which generally provides an explanation of the reason for the action, the length of the probationary period and a plan of corrective action to be successfully completed during the period. The employee's supervisor will meet with the employee to discuss the terms of the disciplinary probation, and the employee will be asked to sign the notice of probation as an acknowledgment that the employee has been informed of the action. A copy of the notice is retained in the employee's personnel file.

At the conclusion of the probationary period, and from time to time during the period, as appropriate, the employee's supervisor will meet with the employee to review his or her progress. An employee on disciplinary probation who does not show satisfactory improvement is subject to further disciplinary action at anytime, up to and including termination of employment.

Investigative Suspension.

A suspension from work may be appropriate when circumstances require an investigation and it does not appear practical or desirable or in the best interests of the Town or of the employee for the employee to

remain at work during that investigation. An investigative suspension is not itself a disciplinary measure. If, at the conclusion of the investigation, the investigative suspension is not converted to a disciplinary suspension or discharge, the employee will be reinstated and will be paid at his or her normal straight-time rate for all regularly scheduled work missed during the suspension.

Disciplinary Suspension

A disciplinary suspension is a suspension from work without pay for one or more days for a repeated or serious infraction of Town rules or policies. A record of the suspension is retained in the employee's personnel file.

Misconduct during the Probation Period

The disciplinary action policy is not normally applied to new employees during the probationary period. Unsatisfactory performance or any infraction of Town rules or policies or other misconduct during this period may result in immediate termination of employment. Probationary employees are not eligible to use the grievance procedure.

Approved by the Selectboard January 30, 2019