

# JUDICIARY HUMAN RESOURCES DEPARTMENT

## FACT SHEET

### Administration of Progressive Discipline

(Reference: Policy on Progressive Discipline)

#### GENERAL INFORMATION

- Employees are expected to follow all Judiciary policies & procedures.
- When policies are not followed and an employee does not meet expectations, then progressive discipline may result.
- The *Policy on Progressive Discipline* applies to all regular employees EXCEPT: Judges, Masters, law clerks, executive staff (pay grades T18 & 19, S scale & flat scale), appointed positions and contractual or temporary staff.
- The purpose of progressive discipline is to foster communication and to address performance and conduct issues.
- The goal is to give every employee an opportunity to succeed with the Judiciary

#### WHAT IS A FORMAL DISCIPLINARY ACTION?

- Written Reprimand
- Suspension without pay or with a forfeiture of leave
- Denial of a pay increase
- Involuntary demotion
- Termination of Employment
- Verbal reminders, counseling sessions and written warnings *are not* disciplinary actions

Only formal disciplinary actions go into an employee's official personnel file. Formal disciplinary actions are subject to a grievance action. Informal actions, such as counseling and written warnings, are not subject to a grievance action.

#### INITIATION OF A DISCIPLINARY ACTION

- Written Reprimand – A written reprimand must be issued to an employee within 15 days after the supervisor has knowledge of the alleged infraction.
- Suspension (either without pay or with a forfeiture of leave) – A notice of suspension must be issued to an employee within 15 days after the Administrative Official has knowledge of the alleged infraction
- A “day” is a scheduled work day

#### HOW A PROGRESSION MAY LOOK

- 1<sup>st</sup> Offense – Verbal reminder
- 2<sup>nd</sup> Offense – Counseling
- 3<sup>rd</sup> Offense – Written Reprimand
- 4<sup>th</sup> Offense – Suspension without pay or with forfeiture of leave
- 5<sup>th</sup> Offense – Termination of employment

**Management may skip steps in the progression depending on its interpretation of the frequency, seriousness or nature of the employee's offense.** An employee may incur a severe disciplinary action, including termination of employment, for a first offense or any subsequent offense depending on those reasons.

#### REASONS FOR DISCIPLINARY ACTION (Not All Inclusive)

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| ▪ Incompetence or inefficiency             | ▪ Divulging confidential information      |
| ▪ Making a false official statement/report | ▪ Caused damage to, or waste of, property |
| ▪ Insubordination/disrespectful conduct    | ▪ Carelessness or negligence              |
| ▪ Involvement in criminal activity         | ▪ Attendance or tardiness issues          |
| ▪ Cannot perform the essential functions   | ▪ Misusing influence of position          |

*All Human Resources policies and forms are on Courtnet. Consult the Policy on Progressive Discipline or contact the Office of Employee Relations at (410) 260-1732 if you have any questions.*