

**LUZERNE
INTERMEDIATE
UNIT #18**

**SECTION: LUZERNE INTERMEDIATE
UNIT EMPLOYEES
TITLE: DISCIPLINARY PROCEDURES
ADOPTED: NOVEMBER 20, 2002
REVISED: DECEMBER 21, 2005**

317. DISCIPLINARY PROCEDURES	
1. Purpose	The lone-range objective of progressive discipline is to improve performance resulting in gains to the organization and its customers.
2. Definition	In the context of this policy, employee discipline is defined as a conscious and consistent series of support and corrective actions by management to improve a person’s behavior or performance in order to help the person become a more valuable employee.
3. Guidelines	<p>Special project staff follow the same LIU procedures, however, these projects are designed to meet the needs and serve at the discretion of various state agencies (e.g. Departments of Education, Health and Welfare).</p> <p><u>Corrective, Progressive Discipline Policy</u></p> <p>Discipline should be corrective, not punitive. The short-term objective of discipline is to get the employee to comply with established rules and regulations. All properly conceived disciplinary actions have both a present and future focus: to deter employees from future misconduct and/or improve job performance.</p> <p>The four (4) steps in this process are:</p> <ol style="list-style-type: none"> 1. Verbal reprimand. 2. Written reprimand. 3. Suspension. 4. Discharge. <p>The principles of corrective and progressive discipline do not necessarily apply to major offenses. These offenses may lead to an immediate suspension or discharge with no prior discipline. The following are examples of major offenses:</p> <ol style="list-style-type: none"> 1. Assault on a supervisor, manager, or employee. 2. Theft. 3. Sabotage. 4. Offering or accepting a bribe.

5. Criminal activity related to the employee's job assignment.
6. Conviction of a felony.
7. Providing false information regarding work schedules and work assignments.
8. Unauthorized use of LIU resources.
9. Other illegal activities.

Pre-disciplinary Conference

Each time disciplinary action is administered, the employee has a right to a pre-disciplinary conference. This means that the employee is given an opportunity to defend or justify his/her actions. A pre-disciplinary conference provides the employee with due process. Attendance at a pre-disciplinary conference may include the supervisor, a designee of the supervisor such as the Human Relations Officer if the Officer chooses, the employee, and a representative for the employee if s/he chooses.

If the supervisor is directly involved in the misconduct, such as insubordination, it is advisable to have the supervisor's superior or other administrator conduct the pre-disciplinary conference or to ask for the Human Relations Officer be present.

In certain pre-disciplinary conferences, the supervisor may want to include his/her superior or a designee for the purpose of taking notes and to testify as to what was said at a later hearing if the disciplinary action is appealed. All violations with which the employee is charged must be brought out during the pre-disciplinary conference. The supervisor should present the acts as they are known and present all charges to the employee. The employee will then defend his/her actions and provide any new facts.

It is the supervisor's responsibility to investigate any new information provided by the employee during the pre-disciplinary conference and to allow the employee to respond to the results of the investigation at a subsequent conference before any disciplinary action is taken. The pre-disciplinary conference is **not** a "hearing". The employee is not entitled to cross-examine potential witnesses.

If after consideration of all information, a decision is made to impose discipline, the employee should be notified, in a timely manner, of that decision, and the reason for the discipline, and should be provided with appeal rights.

An employee should be given advance warning that certain types of behavior will lead to discipline. This can be done through staff meetings, or posting or sending memos to the employees. The employee can only be cited for

violations that are listed in the discipline letter and at the pre-disciplinary conference.

Explanation of Disciplinary Action

Verbal Reprimand – If after an investigation and the pre-disciplinary conference, the supervisor has determined that discipline is appropriate and that a verbal reprimand is the correct level of discipline to be administered, the following will apply:

1. The employee shall be advised at the end of the pre-disciplinary conference that s/he will be informed as to the outcome of the conference.
2. Discipline shall be administered verbally and in a private location.
3. There shall be no official record kept.
4. The supervisor shall maintain summary notes in his/her file.
5. The verbal reprimand shall be administered within ten (10) working days of the pre-disciplinary conference.
6. The employee shall be advised that the misconduct was not acceptable.
7. The employee shall be given the opportunity to correct his/her behavior in the future.
8. The employee shall be informed that a repetition of this type of behavior would result in a more severe disciplinary action.

Written Reprimand – If the employee fails to correct his/her behavior or if the gravity of the misconduct warrants a stronger disciplinary action than a verbal reprimand, the following will apply:

1. The employee shall be advised that at the end of the pre-disciplinary conference that s/he will be informed as to the outcome of the conference.
2. The reprimand shall be written in letter form.
3. A copy of the reprimand will become part of the employee's official personnel file and will be maintained for a minimum of two (2) years.
4. The written reprimand shall be administered within ten (10) days of a pre-disciplinary conference.

5. The written reprimand shall state that it is a letter of reprimand, and the employee is being given an opportunity to correct his/her behavior, and that a repetition of this type of behavior will result in future disciplinary action.

Disciplinary Suspension – If the employee fails to correct his/her behavior after receiving a written reprimand or, if the gravity of the misconduct warrants immediate suspension rather than a written reprimand, the supervisor should contact the Human Relations Officer.

If the occurrence of a major offense, the supervisor can send an employee home or suspend pending the outcome of an investigation of alleged misconduct. The nature of this misconduct must be grave or present a danger to the employee or his/her co-worker(s).

Examples of such misconduct are:

1. Use of narcotics or drinking alcoholic beverages while on work time.
2. Reporting to work while under the influence of intoxicating beverages or narcotics.
3. Insubordination, blatant refusal to work or follow directions.
4. Fighting.
5. Carrying weapons.

Discharge – Discharge is a disciplinary action that is not corrective in nature. It should be resorted to only when corrective efforts have failed or in those situations where a major offense has been committed. Examples of major offenses are provided in the first section of this policy.

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