




City of Olympia Administrative Guidelines

GUIDELINE #25 Disciplinary Action	
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Administrative Guideline #25 – Disciplinary Action

25 Disciplinary Action

25.1. PURPOSE: To define acceptable standards for disciplinary action and provide guidance to supervisors faced with the task of taking disciplinary action.

25.2. REFERENCE: City of Olympia, Administrative Guideline Standards of Conduct

25.3. APPLICATION: This Administrative Guideline applies to all individuals employed by the City of Olympia unless disciplinary procedures are established otherwise by contract or statute (e.g., Civil Service Rules, Union Contract, Individual Employment Contract or Memorandum of Understanding).

25.4. POLICY: Every individual employed by the City of Olympia is expected to fully perform the duties and responsibilities of his/her assigned position in a manner which contributes to the achievement of the City's mission and is consistent with the City Philosophy Statement and values contained therein. Failure to perform in such a manner may result in disciplinary action as defined in this Administrative Guideline.

Employment with the City of Olympia is at the will of both parties. However, the City recognizes that stability of employment; fairness, equity and compassion are consistent with the City's Philosophy Statement and values. Therefore, supervisors are encouraged to follow these guidelines when it is necessary to take disciplinary actions

Disciplinary action should be:

- a. **Constructive:** supervisors should explain the causes and/or reasons for corrective action, suggest methods for improvement and attempt to achieve a positive resolution of the problem;
- b. **Progressive:** action should normally begin with
 1. an oral reprimand or warning and when circumstances warrant, proceed to
 2. written reprimand, suspension (with or without pay), withholding a step increase, reducing a step or demotion, whichever is most appropriate; and finally, to
 3. termination;

Note: A serious or major breach of conduct may require more severe action, such as termination, and may not be preceded by lesser forms of action.
- c. **Appropriate:** taking into consideration the frequency, severity and impact of the problem; and
- d. **Lawful:** corrective action and the procedure by which it is administered will not violate the employee's civil rights.

25.5. GUIDELINES:

25.5.1. PURPOSE: The purposes of disciplinary action are:

- a. To remind employees of applicable performance requirements, rules, regulations and standards of conduct for their positions.
- b. To provide a constructive procedure for assisting an employee to correct the problem.

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- c. To discourage behavior which is detrimental to City service.
- d. To remove from City service employees unwilling or unable to comply with expectations.

25.5.2. INVESTIGATION: All disciplinary action should begin with a thorough and objective investigation of the problem or incident.

25.5.3. DISCIPLINARY ACTIONS:

a. Oral Warnings:

1. **Purpose:** Oral warnings are appropriate for isolated occurrences of minor offenses.
2. **Action:** The supervisor should call the employee aside to discuss the problem and agree upon a resolution
3. **Authority:** Supervisors may issue oral warnings unilaterally
4. **Documentation:** An oral warning should not be noted in the employee's personnel file. However, the supervisor may want to keep a confidential, but informal, record of such discussions in case the infraction is repeated.

b. Written Warnings:

1. **Purpose:** Written warnings are appropriate for more serious problems or repeated occurrences of minor problems where oral warnings have failed to correct behavior.
2. **Action:** The employee shall receive a written notification from the supervisor clearly stating the problem(s) and stating the corrective action to be taken. A written warning should document any oral warnings, which may have already been given. The written warning shall be transmitted during a counseling session with the employee where the problem and required corrective action should be restated.
3. **Authority:** A supervisor may issue a written warning without prior approval.
4. **Documentation:** Copies of written warnings shall be forwarded to the department director and may be sent to the Human Resources Department to be kept in the employee's personnel file. Disciplinary material may be removed from the personnel file as provided in the City of Olympia, Administrative Guideline, Personnel Files.

c. Disciplinary Probation:

1. **Purpose:** Disciplinary probation should be used to put an employee on notice that failure to improve could result in immediate termination of employment.
2. **Action:** The supervisor shall notify the employee in writing, that the employee is on disciplinary probation. The written notification shall state the reasons for disciplinary action, the term of probation (usually 1 - 6 months), and explain consequences of failure to improve. The written notification shall be transmitted during a counseling session during which the problem and required corrective action should be clearly restated. During the probationary period, the performance of the employee should be closely monitored.

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3. **Authority:** Prior approval of the department director is required. The Human Resources Department Director and the City Manager should be notified of disciplinary probation.
 4. **Documentation:** Copies of the written notification of disciplinary probation shall be forwarded to the Human Resources Department and kept in the employee's personnel file.
- d. **Investigatory Suspension:**
1. **Purpose:** Investigatory suspension should be used when the employee must be removed from the work environment, and further investigation is required to determine if disciplinary action is justified.
 2. **Action:** The supervisor shall notify the employee in writing that the employee is on investigatory suspension. The written notification shall clearly state the reason for the suspension and the nature of the investigation.
 3. **Authority:** Under normal circumstances, the prior approval of the department director is required. However, investigatory suspensions may be initiated unilaterally by the supervisor if it is necessary to immediately remove an employee from the work environment. The Human Resources Department Director and the City Manager shall be notified as soon as possible of investigatory suspension.
 4. **Documentation:** Copies of the written notification shall be forwarded to the Human Resources Department and kept in the employee's personnel file.
 5. **With or Without Pay:** Investigatory suspensions may be either with or without pay at the discretion of the department director depending upon the strength and nature of allegations of misconduct and the amount of time required to complete an investigation or legal proceeding.
 6. **Following Investigation:** If it is determined that the employee was not guilty of any violation, the employee will normally be returned to the position and paid for lost time. The personnel record shall be cleared of disciplinary material. However, if the employee is found in violation, the appropriate disciplinary action will take effect on the date the investigatory suspension began.
- e. **Suspension Without Pay:**
1. **Suspension:** Suspension without pay is appropriate for serious misconduct or when lesser disciplinary actions have been ineffective in correcting problems.
 2. **Action:** The suspended employee shall be notified in writing of the suspension. The written notification shall state the reasons for the suspension, the term of the suspension and explain consequences of failure to improve. The written notification shall be transmitted during a counseling session during which the problem and required corrective action should be restated. During the counseling session, the supervisor shall notify the employee of the informal hearing required below (Section 5.3.5.b).

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- Exempt employees are not subject to unpaid disciplinary suspensions except in increments of full work weeks unless the infraction leading to the suspension is for violation of a safety rule of major significance.
3. **Due Process:** Prior to suspension without pay, an employee shall be given an opportunity to hear the facts presented in support of the proposed suspension without pay and to present any information or mitigating circumstances which may affect the decision. An informal hearing, which includes the employee, the supervisor making the recommendation to suspend without pay, the department director and/or the Human Resources Department Director, will be held for this purpose. The employee may request the presence of a representative of his/her choice.
 4. **Authority:** Suspension without pay requires prior approval of the department director, subject to an informal hearing which may affect the decision to suspend. The City Manager and the Human Resources Department Director shall be notified as soon as possible of suspension without pay.
 5. **Documentation:** A copy of the written notice of suspension without pay shall be forwarded to the Human Resources Department and kept in the employee's personnel file.
- f. **Withholding a Step Increase or Reducing a Step:**
1. **Purpose:** Withholding a step increase or reducing a step is appropriate for serious performance problems or when the performance review process and/or lesser disciplinary actions have been ineffective in correcting the problem.
 2. **Action:** The employee shall be notified in writing. The written notification shall clearly state the reasons for the withholding/reduction, the term of the action and explain consequences of failure to improve. The written notification shall be transmitted during a counseling session during which the problem and the required corrective action should be clearly stated. During the counseling session, the supervisor shall notify the employee of the informal hearing required below [Section 25.5.f (3)].
 3. **Due Process:** Prior to a step reduction, an employee must be given an opportunity to hear the facts presented in support of the proposed reduction and to present any information or mitigating circumstances which may affect the decision. An informal hearing, which includes the employee, the supervisor making the recommendation to reduce a step, the department director and/or the Human Resources Department Director, will be held for this purpose. The employee may request the presence of a representative of his/her choice.
 4. **Authority:** Withholding a step increase or reducing a step requires prior approval of the department director subject to an informal hearing, in the instance of a step reduction, which may affect the decision. The City Manager and the Human Resources Department Director shall be notified of such action as soon as possible.

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5. **Documentation:** A copy of the written notice of withholding a step increase or reducing a step shall be forwarded to the Human Resources Department and kept in the employee's personnel file.

g. **Discharge:**

1. **Purpose:** Discharge may be warranted in instances involving serious insubordination, theft, illegal or destructive acts or other substantial reasons deemed appropriate by the department director. An employee may also be discharged after repeated offenses of a less serious nature, if the offenses have been documented by the supervisor and appropriate behavioral changes have not resulted from previous disciplinary action.
2. **Action:** The discharged employee shall be notified in writing of the cause for discharge.
3. **Due Process:** Prior to discharge, an employee must be given an opportunity to hear the facts presented in support of the proposed discharge and to present any information or mitigating circumstances which may affect the decision. An informal hearing, which includes the employee, the supervisor making the recommendation to discharge, the department director and/ or the Human Resources Department Director, will be held for this purpose. The employee may request the presence of a representative of his/her choice.
4. **Authority:** Discharge requires the prior approval of the department director and the City Manager, subject to an informal hearing which may affect the decision to discharge. The Human Resources Department Director shall be notified as soon as possible of a discharge.
5. **Documentation:** A copy of the written notification of discharge should be forwarded to the Human Resources Department and kept in the employee's personnel file.

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