

POLICY 205 CORRECTIVE AND DISCIPLINARY ACTIONS

1. Purpose. Corrective and disciplinary action may be taken for violations of standards of conduct, violations of policies and procedures, or for unsatisfactory work performance. In most instances, corrective and disciplinary action will only be taken after a full investigation and after giving the employee an opportunity to respond to any and all allegations.

2. Scope and Application.

2.1 This policy applies to all full- and part-time employees of Eau Claire County. The term “employee” excludes individuals hired on a temporary, casual, or seasonal basis; independent contractors; elected officials and any employee, official or officer that serves at the pleasure of an appointment authority, as provided by Wisconsin Statutes.

3. Definitions.

3.1 Corrective Action. The level of corrective action imposed will take into consideration the seriousness of the infraction as well as the employee’s performance record. At the employer’s sole discretion, various types of corrective action may be imposed which include, but are not limited to, verbal warnings and written warnings. These measures are not required to be used before suspension or termination of employment occurs nor are the listed corrective actions required to be used in any specific order. The Employer may repeat corrective action. Problems related to an employee’s inability to meet job expectations, not related to misconduct, may be addressed through performance evaluation.

3.2 Disciplinary Action. For purposes of this policy, “disciplinary action” means an employment action that results in disciplinary suspension without pay, termination, or disciplinary demotion/ reduction in rank. Disciplinary action does not include any verbal or written notices, warnings or reminders that are issued in order to alert the employee that failure to correct the behavior *may result* in disciplinary suspension, demotion/reduction in rank, or termination.

3.3 Oral Warning. An oral statement made to the employee indicating that conduct or performance fails to meet an acceptable level. Documentation of the oral statement is created and made part of the employee’s personnel file.

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Eau Claire County
Employee Policy Manual

- 3.4 Written Warning. A written statement to the employee indicating that conduct or performance fails to meet an acceptable level, which will be made a part of the employee's personnel file.
 - 3.5 Suspension. The temporary removal for disciplinary reasons of an employee from his/her assignment, without pay. Documentation of the suspension is created and made part of the employee's personnel file.
 - 3.6 Termination. Involuntary dismissal from County employment. "Termination" does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment.
4. Standards of Conduct.
- 4.1 While it is impossible to list every type of behavior that may be deemed a serious infraction, subject to disciplinary action, the Employee Conduct and Working Environment policy includes examples of behaviors that may result in disciplinary action. The problems listed are not intended to be an all-inclusive list.
 - 4.1.1 The severity of the disciplinary action will be related to the gravity of the offense, the employee's record of prior disciplinary actions, and a review of the facts and circumstances surrounding the incident(s).
 - 4.1.2 Nothing in this policy is intended to create additional property or procedural rights for employees beyond those rights guaranteed by federal and state law, unless such a provision is clearly labeled as a right of the employee.
5. Departmental Policies.
- 5.1 Each department head is responsible for developing any additional written departmental policies unique to, and necessary for, the efficient and safe operation of the department.
 - 5.2 Departmental policies will be in writing and copies will be made available and explained to all affected employees, including notice that any violation of such rules will be subject to disciplinary action.
 - 5.3 Departmental policies will be used in addition to the guidelines in the Employee Policy Manual.
 - 5.4 Departmental policies will be approved by the director and current departmental work rules will be kept on file in Human Resources.

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Employee Policy Manual

6. Formal Disciplinary Action.

6.1 County employees may receive disciplinary action for reasons that include but are not limited to violation of County Code, departmental work rules, Employee Policies and Administrative Procedures, or other County policies or safety rules.

7. Documentation.

7.1 The supervisor will give the employee a notice that documents any/all oral and written warnings, suspensions, terminations.

7.2 Receipt of the notice will be acknowledged by the employee or witnessed. A copy of the notice will be furnished to the employee. The original Employee Warning Notice will be forwarded to HR for inclusion in the employee's personnel record.

7.3 All corrective and disciplinary actions will be documented and placed in the employee's permanent file in Human Resources.

8. Appeal of Disciplinary Action.

8.1 An employee may appeal the imposition of a disciplinary action of demotion/reduction in rank, disciplinary suspension without pay or termination through the grievance procedure set forth in policy 207.