

## **PRO-302.4 EMPLOYEE DISCIPLINE ADMINISTRATIVE PROCEDURE**

### **1.0 Purpose.**

The purpose of this Administrative Procedure is to implement Section 302.3.1 of TRWD Board Policy 302 Employee Standards of Conduct and Code of Ethics to provide guidelines for the discipline of TRWD employees.

This Administrative Procedure serves as a management tool for supervisors to improve employee performance and respond to an employee's failure to meet TRWD's expectations, failure to adhere to professional standards of conduct, or other employee misconduct.

### **2.0 Scope.**

This Employee Discipline Administrative Procedure applies to all departments, divisions, and offices within TRWD, and to all TRWD employees.

### **3.0 Progressive Corrective Actions.**

If a TRWD employee demonstrates performance deficiencies, fails to meet employment expectations, fails to adhere to professional standards of conduct, or engages in any other misconduct or improper behavior, supervisors may, but are not required to, engage in progressive coaching or discipline to address the deficiencies or conduct.

Supervisors have many tools available to them, and are encouraged to use these tools, to address an employee's performance deficiencies or misconduct including non-disciplinary and disciplinary actions. While a supervisor does not need to utilize all, or any, of the corrective actions identified in this Administrative Procedure prior to termination, supervisors must consult with the Human Resources Department to determine the best practice or action under the circumstances. The Human Resources Department's decision, in consultation with the supervisor, regarding which corrective action to use, if any, may depend on a variety of factors, including the frequency and severity of the employee's actions.

This Administrative Procedure does not provide an exhaustive list of the corrective actions TRWD may take to improve an employee's performance or to discipline an employee for misconduct but only provides examples of the tools available to all TRWD supervisors.

### **4.0 Non-Disciplinary Corrective Action.**

If a TRWD employee demonstrates performance deficiencies, fails to meet employment expectations, fails to adhere to professional standards of conduct, or engages in any other misconduct or improper behavior, a supervisor may choose to engage in non-disciplinary corrective action to identify deficiencies, issue directives for improvement, or provide coaching. Such non-disciplinary corrective action is encouraged but may not be appropriate based on the deficiency or misconduct at issue.

Examples of non-disciplinary actions include:

- Informal conferences;

- Written summaries of informal conference;
- Training;
- Letters of concern; and
- Written directives.

### **5.0 Verbal Warnings.**

A supervisor may issue a verbal warning if the employee demonstrates performance deficiencies or engages in any misconduct or improper behavior. The supervisor should document the verbal warning by completing the employee counseling form. The supervisor should include in the documentation regarding the verbal warning the performance deficiency or misconduct for which the employee received the verbal warning and any verbal directives the supervisor gave to the employee. The supervisor should provide the documentation of the verbal warning to the Human Resources Department.

### **6.0 Written Reprimand.**

If the supervisor believes an employee's performance deficiencies have continued after a verbal warning or believes the employee's misconduct is sufficiently serious to warrant more formal action short of suspension or termination, a supervisor may, with the counsel and assistance of the Human Resources Department, issue the employee a written reprimand. The supervisor should discuss with the employee, and document in the written reprimand, the performance deficiency or misconduct identified and the potential consequences if the employee's performance does not improve, the behavior is not corrected, or the employee engages in further misconduct.

A supervisor is not required to issue a verbal warning to an employee before issuing a written warning. A supervisor has discretion regarding how many verbal warnings are issued to an employee before the supervisor issues a written warning.

The supervisor can document a written reprimand to an employee by preparing a letter of reprimand or by completing the employee counseling form. If the supervisor utilizes the employee counseling form for a written reprimand, a copy of the employee counseling form should be provided to the employee. The supervisor should provide the completed letter of reprimand or employee counseling form to the Human Resources Department to place in the employee's personnel file.

### **7.0 Performance Improvement Plans.**

If an employee demonstrates performance deficiencies that require the employee to demonstrate immediate and sustained performance improvement and the supervisor believes the deficiencies can be remediated, the supervisor may choose to implement a written Performance Improvement Plan (PIP). The supervisor should coordinate with the Human Resources Department to prepare the written Performance Improvement Plan.

In the PIP, the supervisor is encouraged to identify the areas of the employee's job performance that need improvement or correction and establish a timeline for the employee to demonstrate the necessary improvement. The supervisor may choose to

identify action items or indicators for the employee to demonstrate improved performance. The supervisor should discuss the PIP with the employee and advise of the supervisor's expectations for the employee to show satisfactory completion of the PIP and to demonstrate improved job performance.

After the time period specified for the Performance Improvement Plan, the supervisor should determine if the employee successfully completed the PIP and/or whether further performance improvement or corrective action is needed. The supervisor may choose to document the determination of whether the employee successfully completed or failed to complete the PIP and document any further action the supervisor deems necessary.

The supervisor should provide the written Performance Improvement Plan, including any documentation regarding the employee's performance under the Plan, to the Human Resources Department to place in the employee's personnel file.

With the approval of the Human Resources Department, a supervisor may place an employee on a Performance Improvement Plan with or without issuing a verbal warning or written reprimand and with or without engaging in any other previous corrective action.

## **8.0 Suspension.**

TRWD may suspend an employee with or without pay when the frequency or severity of an employee's actions warrants suspension. TRWD may also suspend an employee when the employee has not responded to previous corrective actions. Other than for an emergency suspension with pay of less than 24 hours, a supervisor must receive the approval of the Human Resources Department before suspending an employee with or without pay.

Generally, an employee may be suspended from one to three days, with or without pay. TRWD may suspend an employee for a longer period of time if the supervisor determines, in collaboration and with the approval of Human Resources, that the circumstances, including the severity of the situation, warrant a longer suspension.

An employee's supervisor shall consult with the Human Resources Department to assist in determining whether the severity of the situation warrants suspension and the length and terms of the suspension.

A supervisor should document the decision for suspension and the reasons for the decision by completing the employee counseling form. The supervisor should provide the form to the Human Resources Department to place in the employee's personnel file.

## **9.0 Termination.**

TRWD can terminate an employee at any time, with or without notice, for any reason not prohibited by law or for no reason, as determined by the needs of TRWD as set forth in *TRWD 301.2 At Will Employment Administrative Procedure and the 301.5 Hiring and Termination Administrative Procedure*. TRWD may immediately terminate an employee based on performance deficiencies, unprofessional conduct, misconduct, or other improper behavior without engaging in any prior corrective action discussed in this Administrative Procedure if termination is in the best interest of TRWD. TRWD may also

terminate an employee when other corrective actions, such as those listed in this Administrative Procedure, have been unsuccessful.

A supervisor should consult with the Human Resources Department to evaluate if the situation involving the employment situation warrants termination, including immediate termination without any prior corrective action. The supervisor should document the termination decision, including the reasons for termination, by completing the employee counseling form. The supervisor should provide the employee counseling form or performance improvement plan to the Human Resources Department to place in the employee's personnel file.

Further information regarding TRWD's employment termination procedures can be found in *TRWD 301.5 Hiring and Termination Administrative Procedure*.

#### **10.0 Role of Human Resources Department.**

Supervisors should seek guidance and assistance from the Human Resources Department when employment issues arise. The Human Resources Department can assist in evaluating what corrective actions may be needed or helpful and assist in preparing necessary documentation. The Human Resources Department must be contacted and consulted before taking employment action such as suspension or termination.