

SECTION I

DISCIPLINARY RULES AND PROCEDURES

INTRODUCTION

SUPERVISORS AND DISCIPLINE

We have a framework of policies, rules, and procedures, which enables all employees (management and staff) to work together in an orderly, systematic manner to achieve goals and to satisfy needs. Without order and system, operations become chaotic and inefficient.

The term “discipline” has three (3) interrelated factors:

- The organizational structure establishing the policies, rules and procedures.
- The Supervisors and employee's role in, and compliance with, the structure.
- The leadership process; setting examples, offering instruction, training, etc. that has a direct influence on the employee's compliance to the structure.

Fortunately, most people actually prefer to work in an environment that is orderly and based upon definite standards and effective leadership. Reasonable rules, which employees know and accept as necessary for the proper functioning of the unit, will tell them exactly where they stand. Employees then willingly follow the rules, policies, and procedures. Good discipline, however, requires that rules, procedures and policies be administered fairly and consistently. If any penalties are imposed for violation, the principle of “just cause” should exist. Just cause means that the penalty must be in line with the offense, Management must consider all circumstances related to the act and the punishment imposed should be completely in line with its gravity. When an employee breaks a rule, the Supervisor should consider the past record (total record), the explanation of why the rule was broken, and any other factors related to the situation before a decision is made on the extent of punishment to be imposed. Employees in a “good discipline” setting generally recognize that they are working for the “good of the group” as well as for their own well being; therefore, they avoid actions which may interfere with the rights, privileges, and duties of others in the group.

The Supervisor is the key person in the administration of good discipline. A well-disciplined and competitive workforce is a workforce with good morale.

The leadership responsibility of the Supervisor to build the morale of subordinates includes developing their initiative, creating a climate of cooperation, and helping each worker increase their skills and abilities.

It goes without saying that it is never easy to win the support and cooperation of all employees. There may be individuals who oppose Management no matter what. A Supervisor who wants to assure a job environment in which positive discipline is best protected needs to be fully aware of the reasons that cause discipline to break down. The keys necessary to avoid such a breakdown are:

- 1) An employee orientation program - includes proper training and a thorough understanding of the job.
- 2) A communication system - employees know and understand the rules and policies. (The Supervisor makes the rules and policies sensible guides for action(s) and not simply arbitrary decrees.)
- 3) Fair and consistent method - enforcing the rules and policies. Employees expect stability in leadership and the best way to attain this is to administer the rules equally to all.
- 4) A placement system - employees must be suited for the tasks or they will be unhappy.

“Discipline: is a basic supervisory responsibility. Skill and knowledge are required to establish optimum discipline in the work unit. A Supervisor must know how to deal with different kinds of people reacting in different ways to a variety of situations. “Discipline” may have three (3) meanings:

- 1) To motivate people through positive leadership training, counseling, and by setting good examples. Self-discipline is best. You can be most effective when your employees show a high degree of self-discipline in their job conduct.
- 2) To penalize in appropriate measure with the purposes of correcting a person’s job behavior, and most importantly, develop that person into a satisfactory employee.

This corrective action should not contain “punishment”, but rather, its sole purpose should be to make the person a better employee. Such actions often include oral warning while counseling the employee or a written reprimand.

- 3) When self-discipline fails and corrective action does not produce the corrective result, we have an intolerable situation and it may be necessary to take punitive measures such as suspension or discharge, to force correct job behavior.

In your job as a Supervisor, discipline is a day-to-day reality. However, you will not be able to do your overall job if you spend all your time on duty as a “watchdog”. It is up to you to establish and maintain a climate in which employees want to participate as members of a disciplined work team. It is quite evident by the research available that most employees want to be part of a well-led productive work group. If Supervisors can develop a system of rewarding with praise by recognizing good performance and behavior, the work production and morale will be much greater.

Generally employees do not object to reasonable orders, rules and standards. They have a greater sense of direction when they are governed by practical regulations which they understand are in their own self-interest and which promote the welfare of the entire work unit, office or department.

Effective Supervisors seldom need to resort to formal disciplinary measures. They practice good supervision by thoroughly training and orienting new employees and most importantly, warding off the rise of disciplinary problems. It is also the practice of the effective Supervisor to nip possible disciplinary problems in the bud. Nonetheless, we all must recognize the need to take disciplinary action(s) when appropriate.

SUPPORT FOR DISCIPLINARY ACTION

You must make sure that management at all levels will support your disciplinary action. Briefly, these are the “tests” that must be met:

1) **IS THE RULE REASONABLE?**

To the best of our knowledge the agency’s rules are reasonable and their observance is necessary for orderly and efficient completion of the business we have to conduct. The largest problem occurs in the application of the rules, whether agency or work unit rules. The methods used in applying the rules must also be reasonable. A Supervisor has a responsibility to inform his/her Supervisor if there is reason to believe that a rule is not reasonable.

2) **DID THE EMPLOYEE HAVE THE OPPORTUNITY TO KNOW OF THE RULES?**

The Supervisor has the ultimate responsibility to inform employees of all the rules/regulations to be complied with.

3) **DID THE EMPLOYEE KNOW THE POSSIBLE PENALTIES FOR VIOLATING THE RULE?**

Each employee must be informed of the consequences of not adhering to the rules/regulations.

4) **DID THE EMPLOYEE HAVE THE OPPORTUNITY TO EXPLAIN THE SITUATION?**

Always make sure that the employee's side of the story is heard before you take disciplinary action. Do not react to hearsay circumstantial/evidence.

5) **DID THE EMPLOYEE ACTUALLY VIOLATE THE RULE?**

Some offenses are clear, concise, and quite obvious. But others are not necessarily cut and dry. Thorough investigation must be completed, and your facts verified before any disciplinary action can be taken.

6) **IS THERE A "MATCH" OF THE PENALTY TO THE OFFENSE AND IS THE PENALTY FREE OF DISCRIMINATION?**

Be sure not to over react or under react when penalizing an employee. The penalty must match the infraction heavy enough to obtain constructive response from the employee, but not so severe as to cause a sense of unfair treatment. Fair minded judgment is required at all times.

7) **ARE THE RULES APPLIED EQUALLY AND CONSISTENTLY TO ALL EMPLOYEES, AND IS THE DISCIPLINE EQUAL AND CONSISTENT FOR ALL EMPLOYEES?**

All the rules must be designed and enforced in a manner so as to not discriminate against any employee or group of employees.

PROBLEMS IN ADMINISTERING DISCIPLINARY ACTIONS

Even though disciplinary actions are sometimes necessary, many people avoid taking such actions for a variety of reasons: from lack of knowledge of the rules to fear of formal grievances. Perhaps the most typical reason Supervisors avoid disciplining employees is the obvious dislike of an unpleasant experience. It becomes easy to excuse a delay by citing the lack of time to deal effectively with the problem. Have we ever used the "he knows better now, so it won't happen again" excuse? As a Supervisor, you are faced with these problems quite regularly. As a result, you, being only human, may try to avoid disciplining an employee. This is a natural reaction because administering disciplinary actions is one of the most difficult supervisory functions. Still failure to properly administer disciplinary actions can result in an implied acceptance or even approval of the offense. If this is permitted, problems may become more and more frequent and perhaps more severe. Discipline will become even more difficult to administer.

CLASSES OF OFFENSES, RULE INFRACTIONS, PENALTIES AND DOCUMENTATION

The following section provides a uniform set of general definitions and disciplinary rules under which most agency rule infractions and policy violations can be categorized, thereby, ensuring a high degree of consistency and uniformity in the manner in which agency disciplinary matters are handled.

The following listing of infractions and penalties is not represented as being “all inclusive”. Obviously, every conceivable infraction or violation that could possibly occur cannot be committed to an exhaustive listing of infractions and pre-prescribed penalties. The following categorical grouping of offenses by class and the general definitions within each category should, however, provide a basic framework within which most, if not all, infractions can be appropriately dealt under the principle of fair-minded judgment in matching the penalty with the nature of the offense.

However, managerial and supervisory staff shall be held to a higher standard of conduct.

When these employees commit an offense identified under Class B Infractions, and of such magnitude that the employee’s continued employment cannot be tolerated, termination can occur, without any progressive steps having been taken. Therefore, the Director reserves the right to exercise his prerogative in administering the severity of discipline where documented evidence of such objectionable conduct/behavior warrants deviation from the guidelines.

Also included in the following section are guidelines for maintaining proper and adequate documentation on disciplinary matters which is a critical and, perhaps, most important element of any disciplinary procedure.

REFERENCE:

FURTHER REFERENCE SHOULD BE MADE TO THE FOLLOWING POLICIES AND PROCEDURES IN ADMINISTERING DISCIPLINARY PROCEDURES:

- 1) ADVAP 2-11, Resignation/Termination, 2., d.
- 2) ADVAP 2-3, Time/Leave/Holidays, Attachment 1, 4.d.