

**OKLAHOMA COUNTY JUVENILE BUREAU  
POLICY AND PROCEDURE**

**CHAPTER THREE: PERSONNEL**

**Pages 1 of 8**

**POLICY 3.22: Corrective Discipline/Suspension/Termination/Resignation**

**I. Policy**

- A. All employees of the Oklahoma County Juvenile Bureau (OCJB) are treated in a non-discriminatory and professional manner to improve job performance. The Oklahoma County Employee Handbook states: "All County employees work at the pleasure of the elected official as "AT Will" employees, have no vested property interest in retaining employment, and may be terminated at any time, regardless of their length of employment". The OCJB follows corrective discipline principles, as warranted, and as deemed appropriate. Employees have the right to request and exhaust grievance procedures, prior to their demotion or termination per OCJB Policy 3.19, entitled, "Employee-Supervisor Relations and Grievances".  
**(2-7027) (2-7047) (3-JDF-1C-11)**

**II. Definition**

- A. Corrective Discipline: An approach toward unacceptable employee performance and conduct, which uses disciplinary action as a constructive and valuable management technique for improving employee performance and conduct.
- B. Informal Discipline: Steps taken by a Supervisor to correct unacceptable employee performance and conduct by counseling the employee, possibly setting goals and time frame for correction, and dated documents outlining the informal actions filed in Supervisor's file maintained by supervisor.
- C. Formal Disciplinary Action: Action taken by the Supervisor, documented on "Employee Formal Reprimand Record", (Attachment A), and reviewed by the chain of command, prior to being given to the employee. The finalized action will then be placed in employee's personnel file as permanent record.

**III. Procedures**

- A. Corrective Discipline
1. Just as an employee has the right to seek other employment, the OCJB maintains its right to discipline and/or terminate employees in accordance with this policy. In cases where appropriate, the OCJB exercises corrective discipline.
  2. This approach stresses:
    - a. Early problem identification and intervention;

- b. The establishment of clear expectations for improved performance or conduct;
    - c. Identification of the employee's and supervisor's responsibilities for improving performance or conduct; and
    - d. Timely review of progress toward established goals when taking disciplinary action.
  - 3. Corrective discipline does not require the application of escalating penalties. The appropriateness of any disciplinary action must be judged on the basis of the seriousness and particular circumstances surrounding the problem.
- B. Violation of OCJB policies 3.21 entitled, "Code of Ethics/Employee Conduct", and 3.1 entitled, "Oklahoma County Employee Handbook", may be cause for disciplinary action up to and including termination. **(2-7027)**
- C. Alternatives for Corrective Disciplinary Action
  - 1. Informal discipline involves an interview designed to correct minor performance or conduct problems and/or on-going performance problems. Such interviews may be used by a supervisor without prior approval from their Supervisor. The Supervisor must document the interviews, along with any documentation relevant to the problem requiring the corrective interview. The documentation is maintained in the Supervisor's file and accessible for review by the affected employee.
  - 2. Formal discipline is a form of disciplinary action developed by an employee's immediate Supervisor, after discussing the problem with the employee, consulting with the reviewing Supervisor, and/or obtaining approval from the Department Head. The Formal Written Reprimand must be written on the approved "Employee Formal Reprimand Record", (Attachment A). The employee shall receive a copy after it has been reviewed and approved by the chain of command. Once it has been finalized the original shall be placed in the affected employee's personnel file.
  - 3. Corrective Action Plan:
    - a. A corrective action plan may be developed for both Informal and Formal discipline by the employee's immediate Supervisor after:
      - i. Discussing the problem with the employee; and
      - ii. Consulting with the reviewing Supervisor.
    - b. Following the development of a corrective action plan, the plan must be approved by the Department Head and placed either in the employee's supervisory file, if Informal, or personnel file, if Formal.
  - 4. Immediate Removal From Duty Status:
    - a. An employee who is under investigation or recommended for adverse action may be placed on Administrative Leave with

- pay/without pay with the Department Head and Director's approval. Human Resources (HR) **SHALL** be notified immediately if this occurs.
- b. The Department Head may reassign an employee to different duties, if there is a safety risk, due to their physical abilities to perform their duties documented by a medical authority, or based on reasonable cause, the Department Head determines that the employee's continued presence may: **(2-7030-1)**
    - i. Pose a threat to the employee, clients, residents, or others;
    - ii. Result in loss or damage to County property; or
    - iii. Jeopardize substantial and legitimate government interests.
  - c. Removal from duty status may be rescinded at any time, with the approval of the Department Head.
5. Corrective Disciplinary Documentation:
- a. Employees may challenge the information in their personnel file and have it corrected or removed if it is proved inaccurate. **(3-JDF-1C-20) (2-7042)**
6. The Director shall review all Formal disciplinary action prior to being finalized and given to the employee, and placed in the employee's personnel file.
- D. Suspension of any employee from duty without pay must be justified by the employee receiving a Formal disciplinary action and be approved by the Department Head and the Director.
- 1. Prior to any suspension of more than three (3) days being imposed, the District Attorney's Office will review all documentation, prior to being reviewed by the employee, or issued to the employee, and make recommendation to the Director.
  - 2. Suspensions of less than three (3) days can be approved by the Department Head and the Director prior to being reviewed and served to the employee, and are not required to be approved by the District Attorney's Office.
- E. Termination of employment may occur if an employee violates policies and procedures, rules of conduct, and/or fails to meet performance expectations.
- 1. All employee actions being considered for termination shall be submitted to the District Attorney for review, before notification of the employee of pending recommendation, and prior to imposing termination against the employee. No action will be taken until the District Attorney advises the Director of their legal review findings.
  - 2. If the employee resigns in lieu of termination, the resignation can be accepted by the Supervisor, Department Head, or Director, and no further review is required by the District Attorney's Office. The employee **SHALL** submit their resignation in writing, but if communicated verbally, the Supervisor receiving the verbal

resignation, **SHALL** immediately document the verbal resignation, and submit to their Department Head. Employee resignations **SHALL** be submitted to the Director and Human Resources (HR) for approval and finalization of payroll.

3. The Director is the final authority on all termination decisions.  
**(2-7027)**

F. To resign in good standing, an employee **SHALL** submit a written resignation letter to their Supervisor, Department Head, or Director fourteen (14) calendar days prior to their departure. All OCJB property issued to the exiting employee **SHALL** be collected by the Department that issued the property utilizing the "Wage Withholding Authorization", (Attachment B). If the employee fails to return any/all OCJB property, cost of the items unaccounted for **SHALL** be noted for payroll deduction. The completed original form **SHALL** be submitted to HR by the issuing Department Head. **(2-7027)**

1. All employees separating employment with the OCJB, regardless of the reason, will return all OCJB property issued to their supervisor, and work the last three (3) days in "street clothes", if they were in a position where issued uniforms were required.

G. If an employee does not report for scheduled duty as assigned for two (2) days in a row and does not contact their supervisor, the employee is considered to have voluntarily terminated their position. The employee's Supervisor **SHALL** make every attempt to contact the employee and **SHALL** document whether or not contact was made. The Supervisor **SHALL** submit their documented report which states their findings to their Department Head. The Department Head notifies the Director and HR of Supervisor's findings and action to be taken.

H. As an alternative to termination of employment, an employee can be involuntarily demoted to a different position, based upon a recommendation by the Department Head, and approved by the Director. A performance evaluation report will be completed within six (6) months of the demotion. During this six (6) month period, the employee demoted will serve on a probationary status. During the probation status, an employee will not be eligible to apply for promotion to another position within the OCJB.

**(2-7028)**

Approved: \_\_\_\_\_

James L. Saffle, Director

2/20/15  
Date

Attachment A: Employee Formal Reprimand Record  
Attachment B: Wage Withholding Authorization

### EMPLOYEE FORMAL REPRIMAND RECORD

Employee Name:  Department:   
Date of Reprimand:

#### REPRIMAND

Date of Violation  Time of Violation  Place of Violation

#### NATURE OF VIOLATION

Unsatisfactory Performance  Neglect of Duty  Misconduct  Conduct Unbecoming A Public Employee  Mistreatment of Client  Other

#### REMARKS

#### PREVIOUS DISCIPLINARY ACTIONS

Corrective Interview (C.I.)  Written Reprimand (EFRR)  Other (OT)

Please Submit: DATE, SUBJECT, SUPERVISOR INITIALS, ABBREVIATE TYPE OF ACTION ON EACH (CI, EFRR, OT)

#### EMPLOYEE REMARKS RE: VIOLATION

I AGREE with this Reprimand  I DISAGREE with this Reprimand

Employee's Signature \_\_\_\_\_ DATE: \_\_\_\_\_

#### ACTION TO BE TAKEN

Attach Additional Pages If Necessary

Employee's Signature \_\_\_\_\_ Date: \_\_\_\_\_ Preparer's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
"I have read and understand this Reprimand"  
Department Head \_\_\_\_\_ Date: \_\_\_\_\_

DISTRIBUTION OF COPIES: Employee \_\_\_\_\_ Supervisor \_\_\_\_\_ Personnel File \_\_\_\_\_

Prepared by: Gregory K. Hays, Date: 4/28/11

## **Guidelines for Supervisors**

**Cause for Disciplinary Action:** Employee conduct falling within the general categories described below is cause for disciplinary action. However, the categories listed are not intended to provide a comprehensive description of all conduct, which may warrant disciplinary action.

1. **Unsatisfactory Performance:** An employee's performance is unsatisfactory when performance fails to meet established standards and criteria for the position to which the employee is assigned. Unsatisfactory performance includes inefficiency and/or error. Unsatisfactory performance may result from willful failure to properly perform, inability to properly perform, neglect or other cause.
2. **Misconduct:** Misconduct includes but is not limited to, any failure to comply with statutes, rules, policies and/or conduct. Misconduct further includes, but is not limited to, the following:
  - a. Unauthorized disclosure of confidential information, or securing or attempting to secure access to confidential information without authorization.
  - b. Failure to take required examinations and failure to complete required forms and reports.
  - c. Violation of time and leave policies, rules and regulations.
  - d. Willful Disobedience which includes but is not limited to, refusal to cooperate with authorized investigations and refusal or failure to answer questions in matters of official interest.
  - e. Insubordination.
  - f. Dishonesty which includes, but is not limited to, fraud committed in securing any appointment, promotion or other advantage in employment, making false reports and/or claims, falsifying official forms or other documents, criminal acts, knowingly withholding information of official interest and fraud committed in information of official interest and fraud committed in securing any service or benefit from any program administered by the agency.
  - g. Intoxication or the use or possession of alcoholic beverages or drugs during duty hours or on County property. The appropriate possession of prescribed medication by employees shall not be grounds for disciplinary action provided that the employee has notified appropriate authorities concerning the use and possession of any medications which might impair the employee's abilities to perform and has been approved for continued duty.
  - h. Discourteous treatment of clients, other employees and/or general public. Each staff member is responsible for treating all persons with respect and courtesy and for insuring that procedures he/she employs in carrying out his/her responsibilities do not violate privacy or personal dignity, constitute harassment or violate constitutional rights.
  - i. Misuse of County property which includes, but is not limited to, theft, destruction, abuse, careless or reckless use of property/equipment, careless misplacement of property/equipment, careless or intentional waste of property/equipment and use of County property for personal gain.
3. **Neglect of Duty:** Includes, but is not limited to, absence from assigned duty station without proper authorization, inexcusable failure to perform an assigned duty and inexcusable inattention to assigned duties.
4. **Conduct Unbecoming a Public Employee:** Includes any failure by an employee of good behavior either during or outside duty hours, which is of such a nature that it causes discredit to the agency or his/her employment.
5. **Conviction of a felony or a crime involving moral turpitude, or a misdemeanor involving the use of drugs or alcohol.**
6. **Abuse, neglect or other mistreatment of clients.**

