

Barstow Cemetery District

POLICY TITLE: Disciplinary Action

POLICY NUMBER: 3104

3104.1

The District expects all of its employees to act in the best interest of the District and its customers and residents. It is the responsibility of all employees to observe all rules, guidelines, and operating procedures of the District. The District further expects that each of its employees will act in a polite and professional manner when dealing with members of the public and other employees. These General Rules of Conduct, along with the "Examples of Unacceptable Conduct" listed below, are not meant to be all-inclusive, but rather to provide illustrations of acceptable conduct versus problematic conduct.

3104.2

Examples of Unacceptable Conduct. The following list presents examples of some of the types of unacceptable conduct that may result in disciplinary action, up to and including immediate termination. This list is not an exhaustive list of what conduct may result in discipline, but is merely meant to be illustrations of unacceptable conduct:

- Discourteous treatment of the public or fellow employees.
- Use, possession, or being under the influence of alcohol or illegal drugs while on duty or on District premises. This includes the misuse of legal drugs, including marijuana, prescribed drugs or over the counter drugs on District property.
- Habitual absence or tardiness.
- Abuse of sick leave.
- Disorderly conduct.
- Incompetence or inefficiency.
- Being wasteful of material, property, or working time.
- Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor.
- Neglect of duty.
- Dishonesty or fraud.
- Misuse of District property.
- Willful disobedience or Insubordination.
- Conduct unbecoming a District employee.
- Violation of the District's Unlawful Harassment Policy.
- Possession of firearms or dangerous weapons on District property.
- Theft.
- Falsifying records

3104.3

Any act or failure to act during or outside of work hours, which is detrimental to the best interest of the District as determined by the General Manager or the Board of Trustees. The District also reserves the right to discipline an employee for unsatisfactory job performance including incompetence and/or inefficiency, permanent or chronic physical or mental ailment (including impairment from alcohol or drugs) or other condition which renders

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the employee unable to perform the essential duties of his or her job, or failure to satisfactorily perform job tasks or responsibilities.

3104.4

Prior to Disciplinary Action - Depending on the nature of the conduct or the performance deficiency, the District will generally give an employee an oral warning, which is corrective and is non-disciplinary in nature, prior to taking formal disciplinary action. An oral warning is encouraged but is not required before issuing formal disciplinary action.

An oral warning is a communication to an employee that his or her performance or behavior must be improved and failure to do so may result in discipline. An employee's supervisor or the General Manager may note the date, time, and content of oral warning, but no record of an oral warning shall be placed in the employee's personnel file unless subsequent disciplinary action is taken.

3104.5

Types of Disciplinary Action. Disciplinary action includes documentation with written warning, suspension, demotion, or termination of employment.

- 3104.5.1 Written Warning: a formal written notice to an employee that further disciplinary action will be taken unless his or her performance or behavior improves. A copy of the written reprimand is given to the employee and the original is placed in the employee's personnel file. The employee must acknowledge receipt of the written warning by signing the letter at the time of presentation; this signature signifies only the receipt of the document; it does not signify the employee's agreement with the allegations.
- 3104.5.2 Suspension: the temporary removal of an employee from his or her duties without pay for disciplinary purposes for up to thirty (30) working days. Employees suspended from his or her employment with the District forfeit all rights, privileges, and salary with the exception of group health and life insurance benefits.
- 3104.5.4 Demotion: the removal of an employee from a position to another position carrying a lower maximum rate of pay as a result of a disciplinary action.
- 3104.5.5 Discharge: the removal of an employee from District services, as provided for in these Guidelines.

3104.6

Disciplinary Notice/Appeal Procedure

In the event the district imposes suspension, demotion and reduction in salary, or discharge, the employee will be given a notice of the disciplinary action and an opportunity to respond. All employees have the opportunity to appeal any disciplinary action in writing or verbally, directly to the Board of Trustees.

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3104.6.1 The final notice of disciplinary action shall include the following:

- The disciplinary action taken.
- The effective date of the disciplinary action taken.
- Specific charges upon which the action is based.
- A summary of the facts upon which the charges are based.
- The written materials, reports, and documents upon which the disciplinary action is based.
- The employee's right to appeal.