

Metro | *Policies and procedures*

Subject Disciplinary Actions for Non-represented Employees
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

When an employee's conduct or work performance is unsatisfactory, Metro reserves the right to take disciplinary action, up to and including termination. The degree of discipline will be based on the severity of the offense.

Applicable to

All non-represented employees.

Discipline of represented employees will be in accordance with applicable collective bargaining agreements.

Guidelines

1. Metro reserves the right to discipline or terminate an employee whenever the employee's conduct or performance is unsatisfactory. Supervisors and employees should work together to ensure expectations are clear and to resolve performance and conduct problems as soon as they arise. Supervisors are encouraged to provide training and coaching to support employees' success, consistent with the Metro value of excellence.
2. Disciplinary actions may include but shall not be limited to the following:
 - a. Oral or written reprimand;
 - b. Suspension;
 - c. Reduction in pay;
 - d. Transfer;
 - e. Demotion; or
 - f. Termination from employment.
3. The level of discipline will be at management's discretion based on the severity of the offense. Progressive discipline is not required.
4. If circumstances allow, disciplinary actions will occur in a manner that is least likely to embarrass the employee before other employees or the public.

Procedures

1. **Oral and Written Reprimands:** Supervisors may issue oral and written reprimands. Supervisors are required to consult with Human Resources (HR) Labor and Employee Relations before issuing written discipline. As soon as practicable, supervisors must send the HR Department a record of the disciplinary action taken and the reason for the discipline. This record will be included in the employee's personnel file.
2. **Suspension, Reduction in Pay, Transfer, Demotion or Termination:** The supervisor will review relevant information with HR Labor and Employee Relations prior to taking disciplinary action with an economic impact on the employee. If a basis for discipline exists:
 - a. While discipline is pending, a Department Director may place an employee on administrative leave with or without pay as appropriate to the situation, consistent with applicable wage and hour laws.
 - b. A written notice of contemplated disciplinary action at the level of a written warning or above shall be delivered to the affected employee in person or by mail. This notice shall state that discipline is being contemplated and the reasons for the proposed action, and will include:
 - i. The alleged conduct by the affected employee.
 - ii. The violation(s).
 - iii. A date, time, and place for the affected employee to have an opportunity to address the violation(s) at a pre-disciplinary meeting.
3. Upon completion of the pre-disciplinary meeting, Metro will provide the employee with a written notice of the actual disciplinary action taken, if any. This notice will state the disciplinary action taken, the violation(s), and the effective date of the disciplinary action. This notice shall be a permanent part of the affected employee's personnel record.
4. A failure by Metro to follow any of the procedures described in this policy will not be grounds for invalidating disciplinary action, including termination. The Human Resources Director or his/her designee may, in his/her discretion, dispense with all or part of these procedures as appropriate to the situation, with or without notice to the employee.