

Board of County Commissioners' Employee Policies
Alachua County, Florida

Disciplinary Offenses and Penalties

Policy No.: 9-3
Revision No.:5

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OVERVIEW: This policy identifies and describes offenses and penalties of the Alachua County government.

SCOPE: This policy applies to all classified employees of the Board of County Commissioners.

PROVISIONS:

- a. In applying this schedule of suggested penalties, isolated Group I Offenses more than two years old and isolated Group II Offenses more than five years old, generally shall not be taken into account depending upon the seriousness of the last infraction, the time intervals between each infraction and the employee's entire work and disciplinary history. The term "isolated" in this Policy means no discipline for other offenses has been imposed during the requisite interval of time.
- b. The descriptions of offenses below are intentionally broad and may encompass several closely related circumstances. The supervisor proposing discipline will tailor the description of the offense to the actual circumstances that exist and eliminate words that do not apply in the description of the offenses in the Notice of Proposed Discipline.

1. Group I Offenses.

- a. Consequences for Group I Offenses.
 - i) First Occurrence. Written instruction, counseling and/or one day suspension.
 - ii) Second Occurrence. Up to a five day suspension.
 - iii) Third Occurrence and Subsequent Occurrences. Termination, demotion, or suspension of up to 10 days. Suspension may be longer with approval of the Administrating Official.
- b. Group I Offenses.
 - i) Failure to work overtime, special hours or special shifts after being scheduled with reasonable notice according to departmental overtime and stand-by duty policies.
 - ii) Unauthorized posting or removal of material on County bulletin boards.
 - iii) Deliberately wasting time, stopping work and/or loitering.
 - iv) Leaving work area or duty assignment without authorization. This includes leaving a work area for a lunch break, rest period or at the end of the work schedule, without permission or relief when appropriate.
 - v) Failure to perform assigned duties.
 - vi) Substandard performance of assigned duties.

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- vii) Tardiness including returning late from lunch or rest periods without authorization or reporting late at the beginning of the work shift. Three times in a thirty day period shall be used as a guide for the first offense.
- viii) Absence without authorization or failure to notify appropriate supervisory personnel on the first day of absence.
- ix) Violation of safety practices including but not limited to the performance of unsafe acts, failure to wear and/or use safety equipment, or failure to comply with safety rules.
- x) Scuffling, wrestling, prankish and/or mischievous acts which distract or disrupt the work of others.
- xi) Disruptive and/or disorderly conduct.
- xii) Failure to maintain safe and sanitary conditions.
- xiii) Failure to comply with the "Code of Ethics for Public Officers and Employees" (Section 112.311, Florida Statutes).
- xiv) Gambling on County time or at County work sites.
- xv) Sleeping on duty.
- xvi) Unauthorized solicitation on County work time or at a County worksite.
- xvii) Violation of any Administrative Directive.
- xviii) Documented discourtesy to other employees.
- xix) Unauthorized use or possession of County property, equipment or personnel.
- xx) Failure to immediately report a personal injury or damage to equipment to one's supervisor.
- xxi) Carelessness resulting in the loss of County property valued at \$1000 or more.
- xxii) Careless acts resulting in the falsification, destruction or improper disclosure of County records including accident reports, work records, purchase orders, time sheets, personal health information or any other reports or records.
- xxiii) Supervisory employees who fail to adequately supervise subordinate employees.
- xxiv) Failure of good behavior.
- xxv) Loss or misuse of a County purchasing or credit card.

2. Group II Offenses.

a. Consequences for Group II Offenses.

- i) First Occurrence. Up to a five day suspension.
- ii) Second and Subsequent Occurrences. Termination, demotion, or suspension of up to 15 days. Suspension may be longer with approval of the Administrating Official.
- iii)

b. Group II Offenses.

- i) Provoking or instigating a fight at a County work site.
- ii) Using threatening, intimidating, or abusive language or conduct (which includes slurs related to any person's race, color, national origin, gender, age, religion, marital status, sexual orientation or disability).
- iii) Willful negligence in the performance of assigned duties or negligence which could endanger the employee, other employees or the public.

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- iv) Deliberate misuse, destruction or damage of County property.
- v) Deliberate falsification or deliberate improper disclosure of County records.
- vi) Unauthorized destruction of County records.
- vii) Refusal to perform assigned duties or to comply with written or verbal instructions of higher level supervisors.
- viii) Immoral, unlawful, indecent behavior or other improper conduct which would affect the employee's relationship with the public and/or co-workers.
- ix) Refusal to provide testimony on issues involving County property or other matters related to the County's interest.
- x) Failure of the supervisor to enforce safety regulations.
- xi) Making an official statement known to be false.
- xii) Knowingly tampering with, misrepresenting, or making a false official statement regarding the employee's own or other employee's drug test.
- xiii) Committing an assault, that is offering or attempting to do any bodily harm or offering or attempting to offensively touch another, and the person has a reasonable belief that it may happen, in the workplace or on a County employee or on a person involved with the employee on County business.
- xiv) Making or publishing vicious, malicious or false statements concerning any employee, the County or its operations.
- xv) Failure to comply with the "Code of Ethics for Public Officers and Employees" (Section 112.311, Florida Statutes).
- xvi) Sleeping on duty when such inattentiveness interfered or could have interfered with County operations.
- xvii) Representing oneself or using one's status as a County employee to conduct personal business in an attempt to gain advantage or to receive special treatment not available to others.
- xviii) Supervisory employees who fail to adequately supervise subordinate employees when such failure interfered or could have interfered with County operations.
- xix) Failure to properly supervise prisoners/clients under your assigned control.
- xx) Failure of good behavior when such behavior interferes with or could interfere with County operations.
- xxi) Documented discourtesy to the public.
- xxii) Unauthorized removal of County property or records or the property of an employee.
- xxiii) Failure to comply with safety practices.
- xxiv) Willful misuse of a County purchasing or credit card.
- xxv) Deliberately not reporting lost or missing funds (cash, checks, etc).
- xxvi) Committing sexual, racial or other illegal harassment by words and/or actions in a County workplace or program or against another County employee or a County client or vendor, or creating a hostile work environment in violation of state or federal law or County policy.

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3. Group III Offenses.

a. Consequences for Group III Offenses.

- i) Any Occurrence. Termination, demotion or suspension of up to 15 days. Suspension may be longer with approval of the Administrating Official.

b. Group III Offenses.

- i) A documented history of progressive discipline for abuse of rules, regulations and/or other policies.
- ii) Loss of necessary prerequisites or abilities to perform the job. Fifteen days shall be given to regain prerequisites or abilities; failure to do so will result in dismissal.
- iii) Curtailment or restriction of production or interference with work at County work sites, including but not limited to: instigating, leading or participating in any walk-out, strike, slow down or refusal to return to work.
- iv) Possession of weapons, firearms, explosives or other dangerous instruments on County property or work sites or during or in the course of performing County duties, other than a legally owned, lawfully possessed firearm locked inside or locked to a private motor vehicle in a County parking lot when the employee is lawfully in such area (see Florida Statute 790.251(2011)). Weapons, firearms, explosives and other dangerous instruments are never permitted in a County-owned or rented motor vehicle except in the possession of law enforcement personnel on duty.
- v) Theft or willful destruction of County property or records or the property of an employee.
- vi) Conviction of any felony, which would prohibit or adversely affect the employee's performance or the performance of others.
- vii) Absence of three consecutive workdays without proper authorization at which time the employee is considered to have abandoned the position.
- viii) Making false claims or misrepresentations in an attempt to obtain employee benefits, workers' compensation or other payments.
- ix) Two consecutive regular (annual) performance evaluations below a satisfactory rating.
- x) Commit a battery, which is an intentional offensive touching or application of force or violence to another, in the workplace or on a County employee or on a person involved with the employee on County business.
- xi) Failure to comply with the "Code of Ethics for Public Officers and Employees" (Florida States 112.311).
- xii) Sleeping on duty when such inattentiveness caused or could have caused a safety, security or other serious problem.
- xiii) Second violation of the County's Drug Free Workplace Policy.
- xiv) Continuing behavior that prevents the employee or others to perform their jobs.
- xv) Demonstrated inability to perform the essential functions of the job.
- xvi) Supervisory employees who willfully violate, or permit subordinates to violate, County or departmental rules and regulations.
- xvii) Supervisory employees who fail to adequately supervise subordinate employees.

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- xviii) Failure to supervise prisoners/clients under your assigned control resulting in escape, injury to anyone, damage of public or private property, illicit or illegal activities, or jeopardy to the safety of those under your supervision.
 - xix) Failure of good behavior when such failure caused or could have caused a safety, security or other serious problem.
 - xx) Willful negligence in the performance of assigned duties which did endanger the employee, other employees or the public.
 - xxi) Refusal to perform assigned duties or comply with written or verbal instructions of supervisors while in an emergency situation.
 - xxii) In a continuing operation, leaving the position without relief.
 - xxiii) Improper use or disclosure of County records with malice or for personal gain.
 - xxiv) The manufacture, use, possession, distribution or intent to distribute illegal or illicit substances or other psychoactive drugs.
 - xxv) Supervisory employee committing sexual, racial or other illegal harassment by words and/or actions in a County workplace or program or against another County employee or a County client or vendor, or creating a hostile work environment in violation of state or federal law or County policy.
 - xxvi) Deliberate misuse of a County credit or purchasing card for personal use or gain.
4. Any improper behavior or performance not specifically enumerated in a departmental disciplinary policy or detailed above shall be treated as similar listed offenses would be treated.