



3-18 POLICY ON DISCIPLINE

All employees are expected to meet SYCAMORE PARK DISTRICT's standards of work performance, engage in acceptable conduct and to satisfactorily perform their duties under the policies, guidelines and rules contained in this Ordinance. In addition, employees are expected to follow any other SYCAMORE PARK DISTRICT policies, rules and guidelines, performance standards, the directions of their Supervisors, and to act in accordance with federal, state and local law. Work performance encompasses many factors, some of which may include attendance, punctuality, personal conduct, job proficiency and general compliance with SYCAMORE PARK DISTRICT's policies and procedures.

If an employee does not meet these standards, SYCAMORE PARK DISTRICT may, under appropriate circumstances, take corrective action, other than immediate dismissal. The intent of corrective action is to formally document problems while providing the employee with a reasonable time within which to improve performance. The process is designed to encourage development by providing employees with guidance to improve work performance, attendance problems, attitude, and personal conduct, general compliance with SYCAMORE PARK DISTRICT's policies and procedures and/or other disciplinary problems. On occasions when work performance is below the acceptable level or does not progress according to expectations, the employee may be redirected or reassigned.

Although not required or guaranteed, some form of progressive discipline may be used if deemed appropriate by SYCAMORE PARK DISTRICT. An employee may be dismissed, however, after a progressive disciplinary action has not changed any substandard performance or misconduct on the employee's part.

Notwithstanding SYCAMORE PARK DISTRICT's option to use progressive discipline, SYCAMORE PARK DISTRICT is not required to do so and may, in its sole discretion, forego lesser forms of discipline at any time and proceed immediately with dismissal.

While it is hoped and expected that the need for disciplinary action will be rare, when an employee's job performance, attitude, or conduct falls short of established standards, appropriate action will be taken. Such actions will range from verbal counseling to termination. This means that, as a rule, an employee will be given an increasingly severe penalty each time an offense is committed. Some types of misconduct, however, are so intolerable that dismissal may be imposed for the first offense. The following procedures represent guidelines that may be implemented to remedy unacceptable job performance, attitude, or conduct:



VERBAL WARNING

A verbal warning may be undertaken by an employee's supervisor(s). Verbal warnings occur for the purpose of expressing disapproval of conduct or poor work performance and/or attendance, to clarify applicable procedures or guidelines, and to warn an employee that repetition of the conduct or failure to improve work performance and/or attendance may result in more severe discipline including discharge. The supervisor engaged in a verbal warning will discuss the concern with the employee and suggest how to correct the offending conduct or work performance. Documentation of verbal warning may be placed in the employee's personnel file.

WRITTEN WARNINGS

Written warnings may be issued by an employee's supervisor(s). Written warnings consist of a conference between the employee and the supervisor imposing the warning. A written memorandum expressing disapproval of conduct or poor work performance and/or attendance will be written warning the employee that repetition of the conduct or failure to improve may result in more severe discipline including discharge. A time frame for improvement shall be determined by the employee's supervisor and communicated to the employee. Written warnings will be used for poor work performance, poor attendance, or repeated misconduct of a minor nature or for more serious misconduct which in SYCAMORE PARK DISTRICT's opinion does not warrant suspension or discharge. An employee is required to sign the written warning indicating receipt of the warning and his or her understanding of the reason for the warning. An employee will also be given an opportunity to provide written comments, which will be placed in his or her personnel file. If an employee refuses to sign, another Supervisor will be asked to witness the employee's refusal. A copy of the written warning will be placed in the employee's personnel file. If the employee corrects work performance deficiencies, it should be noted at the bottom of the written warning and be signed by both the employee and the supervisor.

SUSPENSION

A suspension is defined as temporarily relieving an employee from duties. Depending on the circumstances, a suspension may be with or without pay. The supervisor(s) imposing the suspension will meet with the employee being suspended and give him or her a written memorandum outlining the details of the suspension, including without limitation, the reasons for and duration of the suspension, including the starting and ending dates. During this meeting, the employee will be given an opportunity to respond to the reason(s) for the suspension.



The duration of the suspension shall be determined by the Executive Director who shall inform the Board of this decision. To the extent permitted by law, unpaid suspensions of fulltime personnel will be based on daily increments except in instances of infraction of workplace conduct rules.

A suspended employee is required to sign the written notice of the suspension indicating receipt and understanding of the reason(s) provided in the suspension memorandum. The suspended employee will also be given an opportunity to provide written comments on the notice, which will be placed in his or her personnel file. If an employee refuses to sign, another Supervisor will be asked to witness the employee's refusal. A copy of the notice will be placed in the employee's personnel file.

DISMISSAL

A dismissal is a termination of employment initiated by SYCAMORE PARK DISTRICT. An employee may be dismissed for any lawful reason at any time. All SYCAMORE PARK DISTRICT employees serve at the will of SYCAMORE PARK DISTRICT. If an employee is dismissed, he or she will receive written notice of the dismissal including effective date and time of dismissal. Under ordinary circumstances, the employee's supervisor or designee will meet with the employee, and present the written notice of dismissal. The employee is required to sign the written notice of the dismissal indicating his or her receipt of the notice. If the employee refuses to sign, another supervisor may be asked to witness the employee's refusal. A copy of the notice will be placed in the employee's personnel file. The employee may further respond to those charges, if any, through the formal review procedure outlined below.

REVIEW OF DISMISSAL

The decision to dismiss an employee shall be final unless he or she requests a review of the dismissal by submitting a written request to the Executive Director within five (5) working days from the date the action was taken. The Executive Director or a designee may meet with the employee and investigate the circumstances surrounding the dismissal, The Executive Director or the designee(s) should issue a written determination within ten (10) working days of receipt of the written request. The Executive Director's decision shall be final.

If a department head has been dismissed, he or she may make a request to the Board. The Executive Director's decision to dismiss a department head shall be final unless the department head submits a written request for review of dismissal to the

Board within (5) working days from the date the action was taken. The Board may meet with the department head and investigate the circumstances surrounding the dismissal. The Board should issue a written determination within ten (10) working days of receipt of the written request. The Board's decision shall be final.

This procedure will be followed to the extent that it is, in SYCAMORE PARK DISTRICT's sole discretion, practicable. SYCAMORE PARK DISTRICT reserves the right to proceed directly to the Executive Director's or the designee's review of an employee's dismissal. Nothing shall limit or restrict SYCAMORE PARK DISTRICT's right to dismiss an employee at any time, with or without cause. As an at-will employee of SYCAMORE PARK DISTRICT, you may terminate your employment at any time, with or without cause or notice and SYCAMORE PARK



DISTRICT retains a similar right. SYCAMORE PARK DISTRICT's failure to strictly adhere to the time limits or the procedures described above shall not affect the resolution of any disciplinary action.

REVIEW OF DISCIPLINARY ACTION OTHER THAN DISMISSAL

In the case of disciplinary action other than dismissal, you may request a review of the action by submitting your request in writing to your immediate supervisor within (5) working days from the date the action was taken. Your immediate supervisor may meet with you and should issue a written determination within (10) working days of receipt of your request for review. If you are not satisfied with this determination, you may seek review by submitting a written request with a copy of the initial determination to the supervisor at the succeeding level of authority in your department within (5) working days after the date of initial determination. This supervisor may meet with you and should issue a written determination within (10) working days of receipt of your written request for review. If you are not satisfied with the determination at this stage, you may continue this process through each succeeding supervisory level in your department up to the Executive Director. Any decision of the Executive Director shall be final. Note that SYCAMORE PARK DISTRICT's failure to strictly adhere to the time limits or the procedure in this section shall not affect the resolution of any disciplinary action. This procedure should be followed to the extent that it is, in SYCAMORE PARK DISTRICT's sole discretion, practicable under the circumstances.

EMPLOYEES RESPONSE

You may respond to any disciplinary action taken against you by preparing a written response stating your position or objection to the disciplinary action and placing it in your personnel file. It is your responsibility to make certain that your written response is placed in your personnel file.



SPECIAL RULES AND REGULATIONS

Satisfactory performance of duties and acceptable conduct is required of every employee. Failure to meet the minimum standards and work performance for any of the following listed reasons should be sufficient to dismiss any employee. Such list is not to be considered all inclusive. The Board shall be informed of the nature of the violation and chosen course of disciplinary action. They include but are not limited to:

- Use SYCAMORE PARK DISTRICT owned equipment or vehicles for personal use without the permission of the Executive Director.
- Work another job for which compensation would be received while on duty.
- Drinking or using controlled substances on the job or arriving on the job under the influence of alcohol or un-prescribed controlled substances.
- Insubordination or failure to follow the order of a Department Head, Supervisor or Executive Director.
- Being absent from work without permission, or failure to report any absences to the immediate Department Head or Supervisor.
- Being habitually absent or tardy.
- Failure to perform work in an appropriate manner.
- Being wasteful of material, property or working time.
- Inability to work with fellow employees.
- Theft.
- Fighting, disorderly, or immoral conduct.
- Punching another employee's time card or falsifying any time record.
- Intentionally giving false or misleading information to obtain employment.
- Conduct which endangers the health, safety or general welfare of other SYCAMORE PARK DISTRICT personnel or SYCAMORE PARK DISTRICT users.
- Failure to follow SYCAMORE PARK DISTRICT policies and procedures.
- Lying, falsifying, or providing misleading information with regard to SYCAMORE PARK DISTRICT records, reports and forms.



- Any violation of policies or procedures regarding the privacy of individually identifiable health insurance information (or protected health information) as mandated by the Health Insurance Portability and Accountability Act of 1996 (HIPA) and as defined by the U.S. Department of Health and Human Services, Employees who are dismissed have the right of appeal and may do so in accordance with the steps outlined entitled Grievance Process and Procedure.

Adopted on:

Revised on: October 2016

November 2021

4816-9338-0409, v. 1