

Community Services of Northeast Texas, Inc.

Personnel Policies & Procedures

716 Disciplinary Process

Effective Date: 9/1/2003

Revision Date: ~~09/26/2012~~ 08/23/2022

The purpose of this policy is to state Community Services' position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Community Services' own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

~~Disciplinary action may call for any of four steps — 1) first written warning, 2) second written warning, 3) suspension with or without pay, or 4) termination of employment — depending on the severity of the problem and the number of occurrences. Any of steps 1-3 may include a disciplinary period. There may be circumstances when one or more steps are bypassed.~~

CSNT will refer to the Infractions and required disciplinary actions chart for Policies 701, 703, and 704 when infractions occur.

An employee with three ~~written reprimands~~ Performance Correction Notices during a 12-month period is subject to termination.

Community Services recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples (see Policy 701) of problems that may result in immediate suspension or termination of employment. Anytime an employee is placed on probation, he/she is not allowed to use their paid time off.

By using progressive discipline, we hope most employee problems can be corrected at an early stage, benefiting both the employee and Community Services.

Policy 701 Infractions and required disciplinary actions

| Infraction | Description | Reviewable | 1st Incident | 2nd Incident | 3rd Incident |
|---|---|------------|------------------------------|------------------------------|------------------------------|
| 701.100 Infractions against the government | | | | | |
| 701.101 | Theft or inappropriate removal or possession of property | No | Mandatory Termination | N/A | N/A |
| 701.102 | Falsification of timekeeping records | No | Mandatory Termination | N/A | N/A |
| 701.103 | Fraudulent activity | No | Mandatory Termination | N/A | N/A |
| 701.104 | Unauthorized disclosure of business "secrets" or confidential information | No | PCN | Mandatory Termination | N/A |
| 701.105 | Failure to follow and adhere to all Federal and State Funding Rules and Regulations | Yes | VC | PCN | Possible Termination |
| 701.106 | Failure to maintain child/adult ratios | No | VC | PCN | Mandatory Termination |
| 701.197 | Infractions not specifically listed Level One | Yes | VC | PCN | Possible Termination |
| 701.198 | Infractions not specifically listed Level Two | Yes | PCN | Possible Termination | N/A |
| 701.199 | Infractions not specifically listed Level Three | Yes | Possible Termination | N/A | N/A |
| 701.200 Infractions against the employer | | | | | |
| 701.201 | Working under the influence of alcohol or illegal drugs | No | Mandatory Termination | N/A | N/A |
| 701.202 | Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment | No | Mandatory Termination | N/A | N/A |
| 701.203 | Negligence or improper conduct leading to damage of employer-owned or customer-owned property | Yes | PCN | Possible Termination | N/A |
| 701.204 | Insubordination or other disrespectful conduct | Yes | PCN | Possible Termination | N/A |
| 701.205 | Smoking in prohibited areas | No | VC | PCN | Possible Termination |
| 701.206 | Absence without notice (no show, no call) | No | PCN | Possible Termination | Mandatory Termination |
| 701.207 | Unauthorized absence from work station during the workday | Yes | PCN | Possible Termination | N/A |
| 701.208 | Unauthorized use of telephones, mail system, or other employer-owned equipment | No | PCN | Possible Termination | N/A |
| 701.209 | Violation of personnel policies | Yes | VC | PCN | Possible Termination |
| 701.210 | Unsatisfactory performance or conduct | Yes | VC | PCN | Possible Termination |
| 701.211 | Sleeping while on duty | Yes | VC | PCN | Mandatory Termination |
| 701.212 | Failure to meet production/program goals | Yes | VC | PCN | Possible Termination |

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|--|---|-----|-----------------------|-----------------------|-----------------------|
| 701.213 | Failure to maintain an agency location subject to DFPS inspection in a manner that avoids deficiency | No | VC | PCN | Possible Termination |
| 701.214 | Failure to properly supervise staff, including failure to hold staff accountable for production/program goals | Yes | VC | PCN | Possible Termination |
| 701.215 | Loss or permanent misplacement of agency property | Yes | PCN | Possible Termination | N/A |
| 701.216 | Deliberate destruction or defacing of agency property | Yes | Mandatory Termination | N/A | N/A |
| 701.217 | Accidental damage to property without proof of negligence or improper conduct | Yes | VC | VC | PCN |
| 701.218 | Excessive absenteeism | Yes | VC | PCN | Mandatory Termination |
| 701.219 | Excessive tardiness | No | VC | PCN | Possible Termination |
| 701.297 | Infractions not specifically listed Level One | Yes | VC | PCN | Possible Termination |
| 701.298 | Infractions not specifically listed Level Two | Yes | PCN | Possible Termination | N/A |
| 701.299 | Infractions not specifically listed Level Three | Yes | Possible Termination | N/A | N/A |
| 701.300 Infractions against an employee | | | | | |
| 701.301 | Fighting or threatening violence in the workplace | No | PCN | Mandatory Termination | N/A |
| 701.302 | Boisterous or disruptive activity in the workplace | Yes | VC | PCN | Possible Termination |
| 701.303 | Negligence or improper conduct in the workplace | No | PCN | Possible Termination | N/A |
| 701.304 | Violation of safety or health rules | No | VC | PCN | Mandatory Termination |
| 701.305 | Sexual or other unlawful or unwelcome harassment | No | Mandatory Termination | N/A | N/A |
| 701.306 | Possession of dangerous materials, such as explosives or firearms, in the workplace | No | Mandatory Termination | N/A | N/A |
| 701.397 | Infractions not specifically listed Level One | Yes | VC | PCN | Possible Termination |
| 701.398 | Infractions not specifically listed Level Two | Yes | PCN | Possible Termination | N/A |
| 701.399 | Infractions not specifically listed Level Three | Yes | Possible Termination | N/A | N/A |

Policy 703 Infractions and required disciplinary actions

| Infraction | Description | Reviewable | 1st Incident | 2nd Incident | 3rd Incident |
|--|---|------------|------------------------------|--------------|--------------|
| 703.100 Infractions against an employee | | | | | |
| 703.101 | Unwanted sexual advances | Yes | Mandatory Termination | N/A | N/A |
| 703.102 | Offering employment benefits in exchange for sexual favors | Yes | Mandatory Termination | N/A | N/A |
| 703.103 | Making or threatening reprisals after a negative response to sexual advances | Yes | Mandatory Termination | N/A | N/A |
| 703.104 | Visual conduct that includes leering and/or making sexual gestures | Yes | Mandatory Termination | N/A | N/A |
| 703.105 | Visual conduct that includes the display of sexually suggestive objects, pictures, cartoons, or posters | Yes | Mandatory Termination | N/A | N/A |
| 703.106 | Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes | Yes | Mandatory Termination | N/A | N/A |
| 703.197 | Verbal sexual advances or propositions | Yes | Mandatory Termination | N/A | N/A |
| 703.198 | Verbal abuse of a sexual nature or graphic verbal commentaries about an individual's body | Yes | Mandatory Termination | N/A | N/A |
| 703.199 | Using sexually degrading words to describe an individual | Yes | Mandatory Termination | N/A | N/A |
| 703.201 | Producing or delivering suggestive or obscene letters, notes, or invitations | Yes | Mandatory Termination | N/A | N/A |
| 703.202 | Physical conduct that includes touching, assaulting, impeding or blocking movements | Yes | Mandatory Termination | N/A | N/A |
| 703.297 | Infractions not specifically listed Level One | Yes | Possible Termination | N/A | N/A |
| 703.298 | Infractions not specifically listed Level Two | Yes | Mandatory Termination | N/A | N/A |
| 703.299 | Infractions not specifically listed Level Three | Yes | Mandatory Termination | N/A | N/A |

Policy 704 Infractions and required disciplinary actions

| Infraction | Description | Reviewable | 1st Incident | 2nd Incident | 3rd Incident |
|----------------|--|------------|-----------------------|----------------------|-----------------------|
| 704.100 | Infractions against the employer | | | | |
| 704.101 | Failure to be reliable in reporting to scheduled work (poor attendance) | Yes | VC | PCN | Possible Termination |
| 704.102 | Failure to be punctual in reporting to scheduled work (excessive tardiness) | Yes | VC | PCN | Possible Termination |
| 704.103 | Failure to notify supervisor of delay in reporting to scheduled work at least one hour prior to start time | No | VC | PCN | Possible Termination |
| 704.104 | Failure to provide Physician's Statement stating employee is fit for duty after missing three days | Yes | Possible Termination | N/A | N/A |
| 704.105 | Failure to provide statement employee is fit for duty when employee has been asked to do so | Yes | Possible Termination | N/A | N/A |
| 704.106 | No call, no show for three consecutive days | No | Mandatory Termination | N/A | N/A |
| 704.107 | No call, no show for one day | No | PCN | Possible Termination | Mandatory Termination |
| 704.197 | Infractions not specifically listed Level One | Yes | VC | PCN | Possible Termination |
| 704.198 | Infractions not specifically listed Level Two | Yes | PCN | Possible Termination | N/A |
| 704.199 | Infractions not specifically listed Level Three | Yes | Possible Termination | N/A | N/A |

Reviewable: Yes or No

There may be circumstances that are unavoidable.

Each infraction shall be deemed preventable or not-preventable

Preventable infractions will lean toward disciplinary action

Non-preventable infraction will lean toward a discussion of how to avoid such situations

N/A

Not applicable to this infraction level

VC

Verbal Counseling Form is completed and placed in the employee file

No employee signature is required

PCN

Performance Correction Notice form is completed and placed in the employee file

Actions with this notice may include:

Suspension with or without pay

Notice of final warning

Restitution

Additional training

Educational tasks

Termination

The employee will be separated from the employee/employer relationship

Level One

Infractions that rise to the level of a VC

Level Two

Infractions that rise to the level of a PCN

Level Three

Infractions that rise to the level of Possible Termination