

Rule 4-70

DISCIPLINARY ACTION

§§:

- 4-70-010** **Discipline**
- 4-70-020** **Authority**
- 4-70-025** **Applicability**
- 4-70-030** **Discipline of Executive Employees**
- 4-70-040** **Discipline of Management Employees**
- 4-70-050** **Management Employee Discipline Notice**
- 4-70-060** **Repealed by ER 303**

§ 4-70-010 DISCIPLINE

Directors and supervisors will administer work and conduct rules. They will discipline employees who do not comply with those rules. Discipline must recognize the dignity of employees and encourage and correct behaviors, rather than demean or embarrass employees.

§ 4-70-020 AUTHORITY

Supervisors are authorized to impose discipline, as listed below, unless a Director has specifically removed that authority in writing. Delegation of authority for disciplinary actions is as follows:

- (A) Oral and Written Reprimands: Immediate supervisor;
- (B) Demotions, Suspensions, and Reductions in Pay: Reviewing supervisor;
- (C) Dismissals: Supervisors who are executive employees.

This authority may be delegated in writing. Copies of delegations must be distributed to executive employees, and the Multnomah County HR Director. This authority may be amended in writing at any time.
(ER 312, Amended, 08/08/2007)

§ 4-70-030 DISCIPLINE OF EXECUTIVE EMPLOYEES

Executive employees, as well as temporary and on-call employees, serve at the pleasure of the Director and may be dismissed at any time. These employees have no appeal rights within the county. Consultation with Central HR is required before dismissing executive employees
(ER 312, Amended, 08/08/2007)

§ 4-70-040 DISCIPLINE OF MANAGEMENT EMPLOYEES

- (A) Cause for Disciplinary Action
 - (1) Misconduct, indolence, malfeasance;
 - (2) Inefficiency, incompetence, insubordination; and/or
 - (3) Other unfitness to render effective service.

(B) The following discipline may be imposed:

(1) Oral reprimand: The reprimand will state the basis for the reprimand.

(2) Written reprimand: The reprimand will state the basis for the reprimand and the potential for further discipline if the behavior is not corrected.

(3) Demotion: Reassignment of an employee to a class with a lower pay range. Demoted employees will receive the pay specified by the discipline. The new pay will be no less than the first step or minimum for the lower pay range.

(4) Suspension: The suspension will be without pay for a specific period. For management employees exempt from the FLSA, the suspension without pay must be in increments of full workweeks or full days for suspensions without pay for major safety violations.

(5) Reduction in Pay: FLSA exempt employees are not subject to pay reductions. For FLSA non-exempt employees, the pay reduction will be as specified in the disciplinary action. Reductions may be made for a period necessary to improve performance or behavior.

(6) Any combination of the above discipline.

(7) Dismissal.

(8) Other discipline following consultation with Central HR.

(ER 312, Amended, 08/08/2007)

§ 4-70-050 MANAGEMENT EMPLOYEE DISCIPLINE NOTICE

(A) Notice of Proposed Discipline

(1) Except for oral and written reprimands, employees must be notified of specific proposed disciplinary action and relevant facts and be provided an opportunity to respond before imposition of discipline. This notification will be in writing except that employees may be suspended without written notice of proposed action when the supervisor deems a delay would be disruptive to the work place.

(2) If the proposed discipline is dismissal, employees will be given notice at least seven calendar days before any required hearings. Hearings will be no earlier than seven calendar days after postmark dates on notification letters to employees.

(3) The county will follow the procedures in MCPR 3-60-060 for notifying management employees of proposed disciplinary action.

(B) Disciplinary Action

(1) Discipline letters must contain the relevant facts. Before discipline takes effect, the letter of discipline must be personally delivered to the employee, or mailed to the last known address. When notifying management employees of disciplinary action, the county will follow the procedures outlined in MCPR 3-60-060 and 3-60-070.

(2) Management employees may send a written response to disciplinary action to their department human resources manager. If the response is received within 10 days of the discipline, it will be placed in the employee's personnel file.
(Ord. 277, Amended, 03/10/2004)

§ 4-70-060 REPEALED BY ER 303