

## **LCCS POLICY 472**

### **Oral Reprimand**

<b>Original Issue Date:</b>	8/4/1992
<b>Revision Dates:</b>	7/30/1992, 4/12/1996, 12/5/1996, 2/8/2000, 1/7/09
<b>Revision Number:</b>	5
<b>Current Effective Date:</b>	1/14/2009
<b>Obsolete/Combined Date:</b>	
<b>Reason for Obsoleting/Combining:</b>	
<b>See new Policy #:</b>	

<b>Scope:</b>	All Staff
<b>Responsibility:</b>	Supervisory/Management Staff
<b>Purpose:</b>	To establish guidelines for issuing an oral reprimand.
<b>Legal Cite:</b>	O.R.C. § 5153.11

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### **POLICY STATEMENT**

LCCS managers will initiate and deliver oral reprimands after conferring with their immediate superior and the Human Resources Supervisor.

LCCS subscribes to a philosophy of progressive discipline, whereby reasonable efforts are made to improve the performance or change the behavior. Disciplinary action may vary, however, depending on the severity of the offense; some offenses are so severe that they warrant skipping levels in progressive discipline or moving directly to removal/termination.

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### **PROCEDURE**

The manager will investigate the performance or behavior concern and will meet with the Employee to hear his/her perspective regarding the concern. (If the Employee requests representation at this meeting, the manager will allow it.)

The manager will determine if sufficient just cause exists to warrant potential disciplinary action.

The manager will consult with his/her immediate superior and the Human Resources Supervisor when s/he believes that an oral reprimand is imminent or warranted.

The manager will determine his/her course of action within five (5) working days of gathering all available information related to the offense.

If the manager decides to proceed with an oral reprimand, (s)he will notify the Human Resources Supervisor and the Employee of his/her intent to deliver an oral reprimand. The manager will also provide advance notice of the date/time/place for the reprimand delivery meeting to Human Resources and to the Employee and the Employee will be reminded of his/her right to have a

representative present at the meeting. (NOTE: A NBU employee may not be represented by any bargaining unit employee, LCCS attorney, or a HRD member.)

If the Employee is a member of a bargaining unit, the Human Resources Department will provide advance notice of the discipline delivery meeting to the Union President. (NOTE: The Union President must be notified even if the bargaining unit employee elects not to have representation.)

NOTE: Employees may not use paid work time to meet with representatives or prepare for disciplinary meetings. Representatives who are also agency employees (except official “Representatives of the Union”) may not use paid work time to meet, prepare for, or attend disciplinary meetings.

The manager will conduct the meeting and will address:

- objective facts/observations related to the Employee's behavior/performance;
- the behavior/performance that is expected;
- any prior discussion with the Employee regarding the topic behavior/performance (including any solutions/assistance that were offered to the Employee);
- encouragement/belief in the Employee's ability to correct the problem (accompanied by a warning of future consequences if the behavior/performance does not improve);
- a reminder, when appropriate, of the Employees Assistance Program and information on accessing it.

A Human Resources representative will be present for the delivery of the oral reprimand if requested by the manager. **However, if an outside representative/attorney will be participating in the disciplinary meeting, it is mandatory that a Human Resources representative also be present for the meeting.**

Verbatim recordings (tape, stenographic, etc.) of the disciplinary meeting will not be allowed.

Following the delivery of the oral reprimand, the manager will summarize the meeting in writing and give a copy to the Employee to ensure that expected behavior/performance is clarified and documented.

The manager will send an E-mail notice to the Human Resources Supervisor, stating the name of the Employee who was disciplined, the date the oral reprimand was delivered, and the names of any other parties present for the meeting and will note if the Employee declined to have representation present. This notice will be placed in the Employee’s personnel file. (**Content regarding the nature of the discipline is not included in the oral reprimand notice that is placed in the personnel file.**)

If there are no additional disciplinary actions during the ensuing twelve (12) months of work, the disciplinary notice will be removed from the Employee's personnel file. However, if an Employee is on an extended period of leave of more than twenty (20) consecutive working days, the time that the disciplinary action remains in the personnel file will be extended equal to the working days spent on leave.

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## **CASE PRACTICE GUIDES**

Discipline is used to send a strong message to an employee regarding inadequacies in performance and/or the inappropriateness of specific behaviors. Discipline is not punishment; it is a corrective measure, to be used when performance coaching and informal corrective steps have not produced the desired, agreed upon results, or when the offense was so egregious as to render coaching or informal steps unacceptable.

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## **RELATED POLICIES and FORMS**

Sample Meeting format

Sample Notification memo

Discipline Checklist (LCCS Form #8784)