

LCCS POLICY 473

Written Reprimands

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

Scope:	All Staff
Responsibility:	Supervisory/Management Staff
Purpose:	To establish guidelines for issuing a written reprimand
Legal Cite:	O.R.C. §5153.11

POLICY STATEMENT

LCCS managers will initiate and deliver written 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.

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 a written 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 a written reprimand, (s)he will notify the Human Resources Supervisor and the Employee of his/her intent to deliver a written reprimand.

An HR Representative will be assigned to provide guidance and direction on the disciplinary process including the wording of the reprimand and how it is to be delivered to the Employee.

The manager may choose to draft the written reprimand or to rely on the Human Resources Department to draft it. A written reprimand drafted by a manager must be reviewed and approved by the Human Resources Supervisor before it can be delivered to the Employee.

All written reprimands must contain the following elements:

- 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 Employee Assistance Program and information on accessing it.

The manager will inform the Employee of the date/time/place of the disciplinary delivery meeting in advance, and will also remind the Employee of his/her right to have a representative present at the meeting. (NOTE: NBU employees may not be represented by a bargaining unit employee, LCCS attorney, or HRD staff 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.

A Human Resources representative will be present for the delivery of the written 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 be present at the meeting.**

The structure of the meeting will include:

- an announcement of the purpose of the meeting;
- reading of the written reprimand;
- signing of three (3) copies of the written reprimand by the *Employee, manager, and witness (if any), with distribution to Employee, manager, and Human Resources (for the personnel file).

*The Employee's signature acknowledges receipt of the written reprimand. If the Employee refuses to sign, the manager should record that fact on the Employee signature line and have a witness affirm the delivery.

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

If there are no additional disciplinary actions during the ensuing twelve (12) months of work, the disciplinary document 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.

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.

RELATED POLICIES and FORMS

Sample Written Reprimand

Discipline Checklist (LCCS Form #8784)