

CITY OF HORNELL, NEW YORK
ADMINISTRATIVE POLICY

SUBJECT: Employee Discipline

DATE: March 2004

Policy:

All employees are required to comply with all applicable rules, policies, directives, and standards of conduct and any noncompliance or violation is grounds for discipline.

Conduct that interferes with operations, discredits the City of Hornell, or conduct that is offensive or dangerous to others in the work place is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive. Every employee is required to conduct himself/herself in accordance with that general principle and with all applicable rules, policies and directives as well as with all other standards of conduct which a reasonable person would know is expected of someone in the workplace, whether or not such other standards are expressly set forth in any rule, directive or policy.

Procedure:

The City has the sole right to determine the disciplinary process applicable in particular circumstances as well as the discipline to be imposed for any violation or non-compliance with any applicable rule, policy, directive, or standard of conduct.

The City may consider particular circumstances and any mitigating and/or exacerbating factors in determining the discipline to be imposed for any violation or non-compliance with any applicable rule, policy, directive, or standard of conduct.

Progressive discipline may be imposed in appropriate circumstances, but the determination of those circumstances as well as whether and what discipline is to be imposed is, at all times, in the sole discretion of the City. Progressive discipline may include, but is not limited to, counseling, warning, and suspension, as well as any other remedial steps deemed desirable, such as demotion, permanent or temporary disqualification, transfer, wage reduction, training and/or conditions on continued employment.

Discharge may be imposed for a first offense and may be imposed at any step, whether or not any other step(s) of progressive discipline have been imposed first.

The Mayor should normally be consulted prior to imposition and/or determination of any discipline.

The City may, at its discretion, keep documents and other records of disciplinary action, which may be considered in future personnel decisions.

In any case, when it is deemed appropriate, an employee may be placed on suspension pending investigation and/or consideration of the case. Suspension shall be deemed to be investigatory and not disciplinary. In such circumstances, discipline, if any, shall be imposed after such investigation and/or consideration.

In any case involving serious misconduct or whenever it is deemed appropriate, such as a major breach of policy or violation of law, any procedures contained in this policy may be disregarded.