

Progressive Disciplinary Action

Human Resources Policy- #129

Policy:

Davidson County is committed to working with employees in order to maintain a positive work environment. Davidson County will make every effort to work with employees who are experiencing performance or conduct difficulties through a progressive discipline process. The employment relationship between the County and its employees remains "at will" meaning that either the County or the employee may terminate the employment relationship with or without cause. Davidson County recognizes that some instances of performance, conduct and/or behavior may require immediate termination. When performance or conduct issues do not require immediate termination, Davidson County will work with employees through the progressive discipline process.

Corrective or disciplinary action may call for any of the five following steps:

1. Coaching/Counseling
2. Verbal Written Warning
3. Written Warning
4. Termination

When the severity of a problem and/or the number of occurrences, one or more of these steps may be bypassed. The employee may be placed on suspension with or without pay, as determined appropriate by the Human Resources Director, concurrent with the action taken in steps one, two or three. The employee may be demoted rather than terminated if appropriate and approved by the Human Resources Director. Disciplinary information remains active in an employee's file for 18 months.

For example, an employee may receive a verbal written warning and fail to improve their performance or conduct during a specified period of time. Then the employee receives a written warning, and fails to improve their performance or conduct at the conclusion of an additional specified period of time. This employee could be subjected to additional disciplinary action or be terminated based on the severity of the issue.

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By using progressive discipline, Davidson County hopes that most employee problems can be corrected at an early stage.

Scope:

This policy applies to all employees that are not covered under OSHR. Employees of the Sheriff's Office and the Register of Deeds Office are subject to this policy as determined by the Sheriff and the Register.

Procedure:

1. The immediate supervisor identifies the performance, and/or conduct issue that needs to be addressed through the progressive disciplinary process.
2. The immediate supervisor will coordinate with the Department Director or their Designee to assemble documentation of the identified issues.
3. The department director or Designee will notify the Director of Human Resources of the performance or conduct issues. The Director of Human Resources will work with the Department Director or Designee to determine if progressive discipline should begin or if the employee should be placed on a Performance Improvement Plan (PIP). A PIP may coincide, but is not required upon the start of progressive disciplinary action.
4. The Director of Human Resources may approve a meeting with the employee to first discuss the performance or conduct. This meeting will be the Pre-Disciplinary Meeting. The intent of the Pre-Disciplinary Meeting is to discuss the performance or conduct issue and obtain information from the employee. Based on this meeting a determination will be made regarding progressive disciplinary action.
5. If a Pre-Disciplinary Meeting is approved by the Director of Human Resources, the Department Director or Designee will issue a letter to the employee informing them that a Pre-Disciplinary Meeting.

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6. The written notice of a Pre-Disciplinary Meeting must provide advanced notice of at least 2 hours of the date, time, location and reason for the meeting. The letter should identify who will be attending the meeting. The meeting should include the Employee, Immediate Supervisor, the Department Director or Designee. The attendance of the Human Resources Director or Designee is optional and will be determined on a case by case basis. The employee may decline to attend.
7. Following the Pre-Disciplinary Meeting, if it is determined that progressive discipline is necessary, the immediate supervisor will complete the Corrective Action Form. The Corrective Action Form will be submitted to the Department Director, and then the Human Resource Director for final approval. The Director of Human Resources has final approval of all disciplinary action. The Corrective Action Form may not to be presented to the employee without the approval and signature of the Director of Human Resources.
8. Once the Corrective Action Form has been approved, the Department Director or Designee will issue written notice to the employee informing them of the Disciplinary Meeting.
9. The written notice must provide advance notice of at least 24 hours of the date, time, and location of the meeting. The Disciplinary Meeting may not occur earlier than 24 hours immediately following the Pre-Disciplinary Meeting. The written notice should identify all Davidson County staff who will attend the meeting. The meeting should include the employee, immediate supervisor, the department director or Designee. The attendance of the Human Resources Director or Designee is optional and will be determined on a case by case basis.
10. The employee will be informed of the progressive discipline with a printed copy of the Corrective Action Form, on which the employee will be asked to sign, but may refuse. If the employee refuses to sign the Supervisor will indicate on the form "Employee has refused to sign" then initial and date the comment.

Document Change Record

Revision	Description
8/13/2024	Revised Policy