

DISCIPLINARY POLICY

These disciplinary guidelines emphasize the need for employees to understand, and uphold a high standard of conduct. There is a continual need for an ongoing rapport between supervisors and employees. Supervisory efforts concentrate on preventing serious personnel problems, rather than discipline for misconduct. In following these guidelines, agency personnel strive for fairness and consistency while recognizing the uniqueness of individual situations.

PURPOSE

The purposes of disciplinary procedures are:

To inform the employee that certain specific aspects of his/her conduct or performance is below standard or in violation of Challenge policy.

To provide appropriate guidelines and documentation for situations which require disciplinary actions.

To provide an opportunity for employees to seek assistance in trying to improve performance or conduct. Such an opportunity may not be possible in cases of serious misconduct.

CAUSES FOR DISCIPLINARY ACTION

Certain standards of performance and conduct must be maintained in any work group. Disciplinary action should be taken in situations including, but not restricted to, misconduct such as the following:

INSUBORDINATION OR REFUSAL TO WORK - Physical or verbal resistance to authority and work direction. Those who disregard instructions or refuse to comply with directions are considered insubordinate.

ALCOHOL/DRUGS – possession, use, sale, or distribution of alcoholic beverages or unauthorized drugs.

UNDER INFLUENCE OF ALCOHOL OR NARCOTICS - Under the influence of alcohol or unauthorized drugs on the job. Bringing liquor or unauthorized drugs on agency property.

THEFT OR DISHONESTY - Theft of agency-owned property or property belonging to an employee or consumer. Dishonest actions such as falsification of records, improperly completing the application form, time records, production reports, shipping or receiving records or other agency records.

CONFLICT OF INTEREST, employees are prohibited from engaging in any activity, practice, or act which may conflict, or give the appearance of conflict with the interests or business of the agency, its customers or consumers. Situations which create an actual conflict of loyalty or interest, or even the appearance of such conflict must be avoided.

PROPERTY DAMAGE OR UNAUTHORIZED USE - Willful damage or unauthorized use of agency property.

PHYSICAL, FIGHTS, ASSAULT, OR HARASSMENT - Employees engaged in fighting, wrestling or similar encounters. Physical or verbal harassment including all racial, ethnic, religious and gender –based insults.

FIREARMS/WEAPONS - Possession of firearms or other weapons on agency property.

TARDINESS /ABSENTEEISM - Repeated absenteeism, tardiness or unauthorized absences.

DISCOURTEOUS treatment or abuse of consumers, co-workers, visitors or customers.

INCOMPETENCY, inefficiency, inaccuracy.

INTERFERENCE with the job performance of other employees.

INEXCUSABLE neglect of work or duty.

GAMBLING on agency property or other work sites.

STOPPING WORK, loitering, or leaving work during working hours without permission.

WILLFUL VIOLATION OF SAFETY RULES - Any conduct which risks injury to persons or property.

NEGLECT, waste, or mishandling of equipment or supplies.

DISTRIBUTION of literature or solicitation for any cause during working hours without permission.

OBSCENE and abusive language, malicious gossip.

CONVICTION of a felony.

CONVICTION of misdemeanor involving moral depravity or relating to job responsibilities.

UNPROFESSIONAL conduct.

FRAUD in securing employment.

VIOLATIONS of Challenge Industries policies or regulations.

ANY other activity that is deemed to be unacceptable behavior.

This list is for purpose of example and may not be all-inclusive for disciplinary action.

DISCIPLINARY PROCEDURES

Supervisors are required to take disciplinary action when established procedures are not followed or when rules of conduct are ignored to the detriment of the work group or the organization. Disciplinary penalties and procedures range in severity from oral and written warnings to suspension, demotion or discharge depending on the situation.

These guidelines exist to ensure fairness and consistency in handling misconduct while providing allowance for individual judgment in assessing the facts specific to a particular situation.

The types of disciplinary actions are outlined below.

VERBAL WARNING

The supervisor should discuss the matter privately and in a positive manner. The first objective is to find out whether the employee understands the rules involved or the standard expected. The

supervisor should be open to considering whether special circumstances may have been involved.

The supervisor should keep a written record of the date and content of this discussion, by noting it on his/her calendar and keeping notes to file.

WRITTEN WARNING

The supervisor should give a written warning for serious infractions or for a continuing problem that requires more than a verbal warning. All written warnings must be pre-approved by the Human Resources Associate or President. The supervisor should meet with the employee and confirm the warning in writing. The written warning should reference earlier verbal warnings. It should also indicate how the employee has failed to meet the standards, a suggested course of action, and a time period to check progress. The written warning should also inform the employee that unless the situation is corrected, more severe disciplinary action will follow, up to and including discharge. During the meeting, the supervisor should stress the seriousness of a written warning and inform the employee that a copy of the warning will be placed in the personnel file. The employee will sign the warning to acknowledge receipt.

The supervisor will submit the original written warning to the Human Resources Associate for the employee's personnel file. A copy of the warning will be given to the employee.

The written warning serves a number of purposes in the disciplinary process. It indicates to the employee the seriousness of the offense, a course of action for improvement and the consequences of failure to correct the situation. It also provides documentation if further action is required.

ADMINISTRATIVE SUSPENSION

Administrative suspension occurs when an allegation of unacceptable behavior or unethical conduct is reported and an investigation begins. The staff and or consumer (s) involved may be put on paid administrative suspension while the agency conducts an investigation to determine what happened. The agency will assign the investigation to a trained investigator who will interview all parties and report the findings to the President, Human Resources Associate and Departmental Manager. The individual will be notified in person of the allegation and if necessary, will be put in immediate notice of administrative suspension. The individual will be notified by a member of management when the investigation is complete. Disciplinary action will be determined by the President, Human Resources Associate and Departmental Manager depending on the severity of the situation. For further detail about the process to report an allegation of unacceptable behavior or unethical conduct, refer to the Allegation of Unacceptable Behavior policy and reporting form.

SUSPENSION

Suspension or disciplinary layoff involves time off without pay, usually for a period of two to five workdays. Before initiating a suspension, the supervisor must discuss the situation with the department head and Human Resources Associate. However, if the department head and Human Resources Associate are unavailable, the supervisor may remove the employee from the work group for the remainder of the work period, pending discussion. Notification of suspension must be given to the employee in person and confirmed in writing. A suspension is usually not imposed unless the employee has been given a previous oral and written warning. However, if a

serious incident occurs which may warrant discharge, an employee may be suspended pending investigation.

DISMISSAL

Except in cases of serious offenses, discharge from employment should be used only as a last resort. All discharges must be pre-approved by the Human Resources Associate and the appropriate Department Head. In extreme situations, the individual may be escorted out of the building by Management.

SEQUENCE AND NUMBER OF DISCIPLINARY ACTIONS LEADING TO DISCHARGE

In many cases discipline is progressive, beginning with verbal warning, progressing to written warnings, and finally dismissal. The numbers and types of such warnings depend on many factors. Usually there is at least one verbal and one written warning prior to dismissal and generally not more than three written warnings. In some cases other measures such as demotion and suspension are appropriate. Depending on the nature of the offense, it may be appropriate to give a written warning even though there was no previous verbal warning. Discharge or suspension without prior warnings may be justified for serious offenses.

The seriousness of the case and the previous record of the employee will determine which type of disciplinary action is appropriate. When disciplinary action is being taken, the supervisor must be certain that the employee clearly understands the violation and consequences. The supervisor must provide follow up on all warnings within the period specified.

The President and Human Resources Associate are available for consultation with the supervisor or the employee at any stage of the disciplinary process. In cases involving a suspension or discharge, the supervisor will review the matter with the Human Resources Associate. The President and/or Human Resources Associate may meet with the employee before a final decision is made.

Under normal circumstances, the written record of disciplinary action may be removed from the employee's personnel file if no additional disciplinary actions have been recorded in the three (3) years following the incident.

If the employee objects to any disciplinary action, he/she should follow the problem solving procedure outlined in the Problem Resolution—Formal Procedure section.