

DISCIPLINARY ACTION SUMMARY OF REVISIONS

- 12-15-69 Adopted policy concerning disciplinary action and dismissal designed to solve problems in a fair and equitable manner without prejudice or favoritism.
- 12-29-75 Revised hearing procedure to shorten delay of hearings of new evidence or exceptions to the findings and rulings of the hearing officer.
- 1-7-76 Revised to provide for an impartial departmental employee relations committee. Allows personnel officers to serve only in an advisory capacity on personnel policy during grievance hearings.
- 9-30-77 Revised to provide law enforcement division to correct conduct of law enforcement personnel when said division has specific narrowly defined uses for suspension and the period of suspension does not exceed 3 days.
- 12-1-84 Final Written Warning - As a part of counseling, management may request employee to take up to a day's leave with pay to consider whether or not employee wishes to continue employment.
- Suspension – a department may extend the period of investigatory suspension without pay beyond the 45-day limit. Permanent employees may file an appeal of disciplinary action.
- 2-1-85 Established procedures for administering the Disciplinary Action, Suspension and Dismissal Policy.
- 8-1-85 Revised pre-dismissal hearing policy due to decision of the US Supreme Court, which defined minimum procedural due process due employees upon being dismissed.
- 12-1-85 Changed pay in lieu of notice to apply to situations other than job performance.
- 1-1-88 Added section on credentials - applicant information and application.
- 6-1-88 Dismissal during probationary or trainee period revised to conform to legislation.
- 5-1-04 Delete the Grandfather provision, which is outdated.
- 8-1-88 Pre-suspension and pre-demotion conferences added. Agencies do not need to inform OSP as disciplinary suspensions without pay since its purpose in monitoring the use has been served.
- 4-1-89 Changed process for filing grievances

- 7-1-89 Clarification of warnings/reprimands based on personal conduct. Such warnings cannot be used to shorten the mandatory three warning process for job performance dismissal.
- 11-1-89 Employee may be given 2 weeks pay in lieu of notice without getting prior approval.
- Technical change that requires at least one disciplinary action to be taken in cases of falsification.
- Deleted pay in lieu of notice for falsification.
- 3-1-90 Allows management to have a witness or security personnel present at pre-dismissal conference if deemed necessary.
- 3-1-91 Employee Appeals & Grievances – revised to require approval of SPC for any settlement or agreement which requires exception to policy.
- 9-1-91 Dismissal part of policy revised.
- 7-1-93 Change “permanent” to “career.”
- 8-2-93 “Just cause,” unacceptable job performance, unacceptable personal conduct defined.
- 10-1-95 Entire policy revised.
- 1-1-02 Page 18 changed to conform to current rule which states that "A second management representative may be present at management's discretion."
- Page 19 changed to conform to current rule which states that the decision should not be communicated after the end of the second business day following the completion of the conference
- 5-1-04 Delete the Grandfather Provision, which is outdated.
- 7-1-04 Disciplinary Action, Suspension and Dismissal
- Clarified Falsification of Credentials as follows:
- (1) Deleted last paragraph under “What is just cause for grossly inefficient job performance?”
- (2) Revised paragraph on Obtaining and Maintaining Credentials.
- (3) Revised Paragraph 1 under Falsification of Credentials.
- 7-1-10 Deletes the out-dated provision for an extension under the definition of Inactive Disciplinary Action. “Extensions” of disciplinary actions were permitted initially to provide a smooth changeover from a system with no time limits on disciplinary actions

to a system with an 18 month time limit. Since we are now well beyond 18 months past 1995, this provision is no longer needed and is occasionally confusing.

- 2-1-11 The 2010 General Assembly passed House Bill 961 which, among other things, made the dismissal letter public information. This rule explains how to mesh the statutory requirement that the dismissal letter be public with the reality that the final dismissal letter might not contain the same reasons as originally used. It also provides a process that contemplates that the employee might in fact be reinstated as a result of the internal appeals process and not even be dismissed as a final agency action
- 10-1-2017 Updated to support the performance management policy, clarify or expand existing information in the policy, and delete outdated portions of the policy. The specific disciplinary procedures have not changed.