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EM MAS
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COBEA Counter to City

May 16, 2019

Time: _____

ARTICLE 10 – COACHING, COUNSELING AND FORMAL DISCIPLINE

Section 10.1 The principles of progressive discipline shall be used except when the nature of the problem requires more immediate action. An employee shall not be disciplined or discharged without just cause.

Section 10.2 Coaching and Counseling. Coaching and counseling are not considered discipline and may not be protested through the grievance process. Examples may include directives, letters of confirmations of verbal counseling or letters of expectation. These are less formal means of resolving issues related to daily operations or conflicts. Counseling may serve as notice to the employee for future disciplines. Counseling can be maintained in the supervisory file for review for yearly evaluations, but are not placed in the personnel file. Upon request, an employee may review and request copies of counseling documents in their supervisory file. The employee may submit a written rebuttal to the counseling, which will be maintained in the supervisory file with the counseling document. Nothing in this Section shall be construed to prevent or prohibit the City from discussing operational matters informally with employees.

Section 10.3 Formal Discipline. Formal discipline shall normally consist of the following which will be documented by written memo, provided to the employee and COBEA, reciting the date and reasons for the discipline:

- (a) Written Reprimand
- (b) Unpaid Suspension
- (c) Disciplinary Demotion
- (d) Discharge

Section 10.4 Delivery of Discipline. Formal disciplinary action shall be accomplished in a manner, which affords the employee the most protection possible from embarrassment before other employees and the public.

Section 10.5 Due Process. When the City intends to take formal disciplinary action which could involving involve discharge or suspension, the City shall notify the employee and COBEA in writing of the charges against the employee and the proposed disciplinary action. The City shall provide the employee and COBEA with the opportunity to respond to the charges at a meeting with the supervisor or person having authority to impose the proposed disciplinary action. The meeting shall be held at a mutually agreed upon time but no later than 10 calendar days from the initial notice to the employee.

Section 10.6 Notifications of Policy Changes. In order to assure that employees have adequate forewarning or foreknowledge of the possible or probable disciplinary consequences of their conduct, employees will not be subject to discipline under amended or new policies until they have been afforded an opportunity to read the policies on duty and/or receive appropriate training on the policies.