

**TOWN OF TISBURY
PERSONNEL BOARD/PERSONNEL DIRECTOR**

DISCIPLINE POLICY

A. Purpose

The purpose of this policy is to ensure that:

- Employees meet the Town’s legitimate expectations in the areas of performance, behavior and adherence to all Town policies;
- Employees whose performance or behavior is deficient are provided with the necessary assistance and motivation to meet the Town’s expectations; and
- Disciplinary action initiated against an employee is fair and appropriate.

B. General Discipline Policy

The Town’s disciplinary policy is one of progressive discipline. However, nothing herein shall be construed to limit the Town’s right to impose discipline of any degree, up to and including termination, in a particular case without regard to the existence or non-existence of prior disciplinary action.

Employees who have not been appointed to a specific term of office are on an indefinite appointment and, as such, are considered at-will employees who may be terminated at any time for any reason, so long as it is not unlawful.

Discipline such as verbal and written reprimands shall be within the discretion of the department head and Town Administrator. Suspension without pay, other disciplinary action and termination are within the discretion of the appointing authority.

C. Discipline Policy Provisions

During the course of performing their duties, all Town employees are prohibited from engaging in any conduct that could reflect unfavorably upon the Town. Town employees shall avoid any action that might result in, or create the impression of using public office for private gain, giving preferential treatment to any person or losing impartiality in conducting Town business. Employees are expected to keep in mind that they are public employees and are to conduct themselves accordingly in a manner which will not discredit the Town, public officials, or other employees.

The Town expects its employees to perform their jobs and conduct themselves in a manner consistent with Town’s standards and policies. However, when violations or problems occur, disciplinary action will result. Commission of any of the following acts by an employee while performing Town duties may result in disciplinary action up to and including termination:

- Violation of any Town policy;

- Misrepresentation, falsification or omission on the employment application or resume or other materials upon which a hiring decision was based;
- Falsification of records, including signing in or out for another employee or allowing another employee to sign in or out for you;
- Engaging in fraud;
- Failure to perform job assignments satisfactorily and efficiently;
- Incompetence or inefficiency in performing assigned duties.
- Inability to perform one or more critical elements of the position.
- Refusal to perform a reasonable amount of work or violation of any reasonable official order or failure to carry out any lawful and reasonable directions made by a proper supervisor.
- Engaging in unprofessional conduct;
- Failure to follow safety rules or to report unsafe actions or conditions;
- Unexcused absences;
- Excessive or patterned absenteeism or lateness;
- Revealing or making available any information of a confidential nature to any person not authorized or entitled to receive it;
- Stealing, theft or misappropriation of citizen, employee or Town property; unauthorized removal of any of the above;
- Negligent use or destruction or damage of the property of the Town, any employee or citizen;
- Malingering, loitering or sleeping on the job;
- Reporting for duty impaired by alcohol or drugs, including prescription drugs;
- Engaging in behavior that could violate the Sexual Harassment policy;
- Gambling while on duty or on Town premises;
- Possession of weapon not required by duties;
- Provoking or instigation of a fight with another employee or any other person during working hours or on Town property;
- Insubordination;
- Conduct contrary to the best interest of the Town, its residents or employees while on or off duty.

This is a partial list of infractions subject to disciplinary action; other offenses will be reviewed on a case by case basis.

D. Disciplinary Procedures.

Department heads and supervisors shall be responsible for enforcing policies and regulations. Disciplinary action may include the following: oral reprimand, written reprimand, and/or discharge. The severity of an infraction shall dictate the level of disciplinary action imposed.

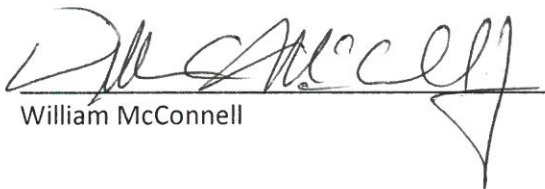
Oral reprimand: A department head may issue an oral warning to an employee for any violation of these Policies or other act of misconduct. The oral warning, if practicable, should be presented with maximum regard for minimizing embarrassment to the employee and shall include a statement concerning the purpose of the warning. An oral reprimand shall be noted in the employee's personnel file.

Written reprimand and/or Suspension: A department head may issue a written warning to an employee for any violation of these policies or other act of misconduct. The written warning, if practicable, should describe the reason(s) for the warning and offer the assistance of the department head in correcting the unsatisfactory situation. A copy of the written warning shall be placed in the employee's personnel file and, if applicable, describe a time period in which the behavior shall be improved. The written warning shall be provided to the employee. A Suspension may only be used after receiving the prior written approval of the Personnel Director, which approval shall include the reason(s) and the time length of the Suspension; it shall become part of the employee's personnel file.

Discharge: An employee may be discharged for unsatisfactory job performance, violation of these Policies, any other act of misconduct, or any other lawful reason. The department head shall provide the employee with a written notice stating the reason or reasons for the discharge and the effective date of the discharge. A copy of such notice shall be provided to the Personnel Board. This provision shall not apply to probationary employees.

Any employee with a question regarding this Policy should contact the Personnel Director.

This Policy replaces existing policy 22.0 in the Personnel Manual. The Personnel Board adopted this policy on May 17, 2018. To take effect on June 1, 2018.

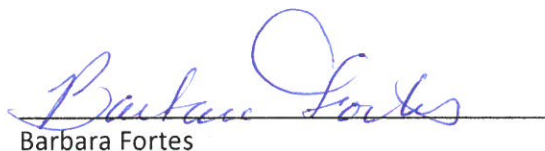


William McConnell

5/17/18
Date

Jack Rollins

Date



Barbara Fortes

5/17/18
Date