

Progressive Discipline Process

Madison County HR



Primary HR Contact

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HR Contacts for Disciplinary Issues

Progressive Discipline Steps

and Offense Types

Verbal Counseling

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graph TD; A[Verbal Counseling] --> B[Written Reprimand]; B --> C[Suspension Without Pay]; C --> D[Termination];
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Written Reprimand

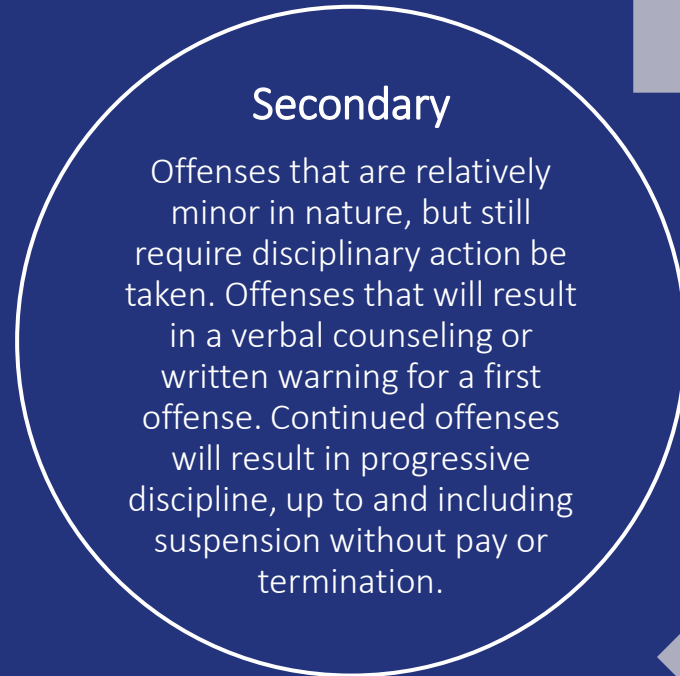
Suspension Without Pay

Termination

Progressive Discipline

Depending on the severity of the offense, appointing authorities may move ahead in the disciplinary progression to suspension without pay or even termination. Appointing authorities should consult with the Human Resources Department before skipping steps in the progression.

Offense Types



Codes 100-131



Codes 131-145

What is the “Active Life” of a Disciplinary Action?

The “active life” is the length of time that the offense will continue to influence future employment actions.

All disciplinary forms and related information remain in the personnel file even though the active life of the action may have expired.

Disciplinary Code	Offense	Active Life
100	Unauthorized use or removal of County property from County premises.	Five Years
101	Theft of Madison County property, personal property of County employees, public property, or personal property of others located on County property.	Life of Employment
102	Falsification of employment applications, medical history or physical exam questionnaires, records, time cards, reports, materials or documentation of any type.	Life of Employment
103	Insubordinate conduct or refusal to carry out orders of a superior.	Three Years
104	Disrespectful conduct toward an official, supervisor, department head, co-workers, or the public, whether verbally or in action.	Three Years
105	Any violation of Alabama Code of Ethics for Public Officials and Employees for covered and non-covered employees.	Life of Employment
106	Immoral or indecent behavior during work hours to include taking or electronically sending pictures of a sexual nature or obscene manner while on County property whether on or off shift.	Life of Employment
107	Disorderly or disgraceful conduct while on or off duty when such behavior threatens order, safety, health, or public respect for the county service.	Five Years
108	Sleeping while on shift.	Three Years
109	Three days no call no show.	Life of Employment
110	Political activities contra to legal regulations governing County employees.	Three Years
111	Abuse, damage or neglect of County property and/or public property.	Three Years
112	Violation of safety rules, including any behavior or conduct subject to create a safety hazard, or any actions that cause injury to any individual or damage of property.	Three Years
113	Arrest or conviction of a crime.	Life of Employment
114	Fighting or threatening violence physically or verbally during work hours or any time while on County property.	Five Years
115	Acts or threats of violence to any County employee or any County official.	Life of Employment

Primary Offenses

Disciplinary Code	Offense	Active Life
116	Possession of dangerous or unauthorized weapons or materials, such as explosives, in the workplace or in a Madison County owned vehicle except as authorized for the performance of duty.	Life of Employment
117	Gambling while on duty or any time on County property.	Five Years
118	Reporting to work in an unfit condition, such as drug or alcohol related.	Life of Employment
119	Reporting to work, or remaining at work, when physically or mentally impaired due to prescription drugs or over-the-counter medications.	Life of Employment
120	Violation of the Supervisor Policy	Five Years
121	Violation of the Sexual Harassment Policy.	Five Years
122	Violation of the Drug and Alcohol Policy.	Five Years
123	Violation of the Nepotism Policy.	Three Years
124	Violation of the Social Media Policy.	Three Years
125	Violation of the Vehicle Use Policy	Three Years
126	Unauthorized, improper or illegal use of vehicles, telephones, mail system, computer email or internet, or other County-owned equipment.	Five Years
127	Unauthorized disclosure of confidential information.	Three Years
128	Failure to report an on-the-job accident where there is damage to any County property.	Three Years
129	Failure to report for and submit to a drug/alcohol screening following any accident where there is any property damage or any injury.	Five Years
130	Bringing or possessing alcoholic beverages into any Madison County Facility.	Life of Employment
131	Using in excess of forty (40) hours of unpaid leave in a calendar year. This excludes leave time approved under the Personal Leave, Family Medical Leave and Military Leave Policies.	Three Years
132	Failure of an employee in a safety sensitive position to notify their direct supervisor in writing that they are taking any medication that has the potential to affect his or her job performance such as causing drowsiness.	Five Years

Primary Offenses

(Continued)

Disciplinary Code	Offense	Active Life
133	Use of abusive language, bullying, making derogatory comments and/or using profanity while on duty.	Two Years
134	Failure or refusal to perform job duties and responsibilities.	Two Years
135	Absence from work without proper notification or reason.	Two Years
136	Failure to report to work on time, extending lunch time or break time, failure to observe working hours, i.e., leaving work early without authorization.	Two Years
137	Language or actions that offend other employees or the public, including gender, race, nationality, color, religion, disability, age, or personal beliefs.	Two Years
138	Unauthorized solicitations or selling on County property during work hours and/or when such actions are disruptive to employee's job, co-workers or County service.	Two Years
139	Violation of the tobacco policy.	Two Years
140	Accepting a secondary job, either part-time or full-time, without approval of the appointing authority.	Two Years
141	Working another job, either part-time or full-time, when such work interferes or conflicts with employee's County job.	Two Years
142	Using knowledge of County job or County information for personal gain in other employment.	Two Years
143	Unauthorized or excessive absences from workstation during the workday.	Two Years
144	Unsatisfactory work performance or conduct.	Two Years
145	Violation of any Madison County Rules, Regulations, and Policies, or violation of any Departmental Policies	Two Years

Secondary Offenses

What if my employee has multiple active Secondary Offenses?

For employees with two or more active Secondary Offenses, the department head should follow the same disciplinary process for a Primary Offense.

If you are unsure if an employee has other active Secondary Offenses, please contact HR to make an appointment to review the employee's personnel file.

Disciplinary Process

for Primary Offenses

Step 1: Investigation Phase

1. Conduct a timely, fair, objective and complete investigation. Consider all pertinent information and reconcile any conflicting statements.
2. Document each stage of the investigation.
3. Confirm whether the investigation revealed substantial evidence or proof that the employee failed to meet performance expectations or has engaged in the alleged inappropriate conduct.
4. If considering a verbal counseling or written reprimand, a Disciplinary Hearing is not necessary. Complete a **Disciplinary Action Report**.
5. As a reminder, do not meet with the employee alone. Have another supervisor, manager, or HR representative present.

Step 2: Schedule Disciplinary Hearing

1. If considering suspension without pay or termination of employment, schedule a disciplinary hearing at least twenty-four hours in advance with the employee using the **Disciplinary Hearing Notification Form**.
 1. Coordinate Disciplinary Hearing time and location with HR. An HR Representative must be present at all Disciplinary Hearings.
 2. Send a copy of the signed **Disciplinary Hearing Notification Form** to HR and the employee.
2. Prior to the hearing:
 1. Meet with or discuss the issue and all related information obtained during the investigation with an HR Representative.
 2. Allow the employee an opportunity to submit information or evidence.

Step 3: Disciplinary Hearing Process

1. Briefly explain the purpose of the Disciplinary Hearing to the employee.
2. Allow the employee an opportunity to state their case and provide facts regarding the situation.
3. End the hearing by letting the employee know that you will take all provided information into consideration and will schedule a subsequent meeting to provide them with a decision. Please ensure this meeting is at least twenty-four hours in advance.
4. As a reminder, the Department Head/Elected Official and an HR Representative must be present for the hearing.

What should I say during a Disciplinary Hearing??

Disciplinary hearings are conducted to allow the employee an opportunity to provide relevant facts and information regarding the situation.

The Department Head/Supervisor should briefly explain to the employee the reason for the hearing and allow them the opportunity to speak.

After the employee provides their statements, the Disciplinary Hearing should be concluded, and a subsequent meeting should be scheduled with inform the employee of the disciplinary action to be taken.

During a hearing, the department head and supervisor should refrain from counseling the employee on the appropriate behavior. This should be done during the Disciplinary Meeting to follow.

Step 4: Disciplinary Meeting Process

1. Complete either the **Disciplinary Action Report** or **Termination Form**. List the code of offense(s) on form.
2. Prior to terminating, suspending, or demoting an employee, the Department Head/Elected Official must seek clearance from HR.
3. Schedule a Disciplinary Meeting to inform the employee of your decision and review the **Disciplinary Action Report** or **Termination of Employment Form**. The Department Head/Elected Official and an HR Representative must be present for the meeting.

If suspending:

Ensure the employee understands the effective dates of the suspension and the requirement to pay for benefits while suspended.

If terminating:

Have the HR Director sign the **Termination of Employment Form** prior to the meeting.

Ensure the employee understands the effective date of their termination.

HR will provide the employee with a **Benefits at Termination Notice Packet** and schedule an **Exit Interview** for the employee.

Step 4: Disciplinary Meeting Process

(Continued)

4. Take time to answer the employee's questions. If the employee is being hostile or combative, you may end the meeting.
5. Ensure you provide the employee with a copy of the **Disciplinary Action Report** or **Termination of Employment Form**.
6. Send the signed **Disciplinary Action Report** or **Termination of Employment Form** and all other related documentation associated with this situation to HR.

Do I have to have an HR representative present for all hearings and meetings?

A representative of HR must be present for all disciplinary hearings and employee meeting notifications of a demotion, suspension, or termination of employment.

This measure is in place to ensure consistency in these processes, answer the employee's questions, and provide support and guidance to the department and the employee.

Appeal Process for Disciplinary Actions

Full-time non-probationary employees of Madison County have the right to appeal the following actions to the Madison County Personnel Board:

- A suspension without pay that exceeds thirty (30) days in any fiscal year

- A demotion or reduction in pay

- Termination of employment

The employee shall have three (3) working days from the action to file a written response. An appeal must be received in writing by the HR Director within ten (10) days of the effective date of action listed on the **Disciplinary Action Report** or **Termination of Employment Form**.

For more information about the appeals process with Madison County, please see Appendix 8 in the Employee Handbook or contact the HR Office.

For supervisor resources, please visit
MadisonCountyHR.org/supervisor-resources

For a complete listing of our electronic forms,
please visit MadisonCountyHR.org/Forms.

We are continuously updating and improving
our forms, so please check our website to see if
the form you are looking for has been updated.

If the form you are looking for is not listed,
please contact HR at (256) 532-3614 or
hr@madisoncountyal.gov.

Looking for
forms and
documents?