

## **DISCIPLINARY PROCEDURES**

### **1.0 Purpose**

- 1.1 To establish procedures for the determination and administration of disciplinary action.

### **2.0 Scope**

- 2.1 To describe procedures for determining and administering disciplinary action as it applies to the total workforce of The City of Lake Forest.

### **3.0 Policy**

- 3.1 The disciplinary procedures set forth in this policy do not apply to sworn police and fire personnel who are subject to the disciplinary rules set forth in the Illinois Municipal Code and in applicable collective bargaining agreements.
- 3.2 Department heads have the authority and responsibility to determine if disciplinary action is appropriate. The determination may include the following steps:
- a) Analyze the conditions and events involved with the situation;
  - b) Review past personnel records for previous personnel actions, disciplinary matters, warnings, reprimands and the like;
  - c) Identify City policies being violated; and
  - d) Advise the employee of the nature of the charge and grant the employee an opportunity to respond.
- 3.3 The level of discipline applied in a specific circumstance is determined solely by the City. The City may consider a variety of factors, including the type of offense, the seriousness of the offense, the repetitive nature of the action, and the employee's prior work and disciplinary record, when determining the appropriate disciplinary action to impose.

The steps listed below may serve to guide disciplinary actions. However, the disciplinary process does not have to follow a specified sequence and does not preclude the City from bypassing steps when disciplining an employee. The City at all times retains the discretion to determine the appropriate level or form of discipline as it deems warranted.

Disciplinary action may consist of a warning, a suspension without pay, a demotion, or dismissal even for a first offense, as defined below:

- a) Warning — Written warning/reprimand.
- b) Suspension — Temporary separation from the City service with or without pay.

- c) Demotion — Reduction in salary or assignment to a position of less responsibility or both.
- d) Dismissal — Permanent separation from the City service for such conduct including, but not limited to, serious misconduct (on or off duty); insubordination; unsatisfactory job performance; dishonesty; intoxication or drug use; carelessness, negligence or violence toward City property or fellow employees; endangering other employees and/or the public through careless, negligent or substandard job performance; unauthorized or excessive absences; habitual tardiness; repeated violation of City policies; or personal acceptance and appropriation of any fee, reward, gift, tip or other remuneration received solely for the performance of official duties or in connection with municipal employment.

**3.3** Department heads are authorized to use appropriate disciplinary measures.

- a) Warning – A department head may issue a warning.
- b) Suspension – A department head may suspend without pay any non-exempt member of the department for a period not exceeding two (2) days. The department head shall promptly notify the Director of Human Resources. A department head may suspend without pay any non-exempt member of the department for a period exceeding two (2) days with the approval of the Director of Human Resources. Proposed suspensions of exempt employees shall be referred to the Director of Human Resources.
- c) Demotion – A department head may recommend a demotion to the Director of Human Resources.
- d) Dismissal – A department head may recommend a dismissal to the Director of Human Resources.

**3.5** Under circumstances involving a suspension for a period exceeding two (2) days, a demotion, or dismissal, the Director of Human Resources may require that additional information be gathered, and/or advise the department head of an appropriate disciplinary procedure based upon City policy and past precedents.

**3.6** Following an investigation as specified in Sections 3.2 and 3.5, the Director of Human Resources and the department head shall jointly decide upon the appropriate disciplinary action, if any, and report it on a Personnel Action form to the City Manager.

If the Director of Human Resources and the department head do not agree as to the appropriate disciplinary action, the department head's recommendation, with all documents pertaining to the situation attached shall be submitted on a Personnel Action form and the Director of Human Resources' recommendation shall be submitted by memorandum. The City Manager, in review of the recommendations, may perform an independent investigation that may include interviews with the individuals involved in the incident(s) that are the basis for the proposed discipline. Following the review, the City Manager may take one of the following actions, which shall be final:

- a) Sustain the department head's or the Director of Human Resources' recommendation.
- b) Reverse the recommendations.
- c) Reverse the recommendations and impose other appropriate disciplinary action.

**3.7** Appeals - Any individual who is suspended, demoted or dismissed may file an appeal to the City Manager for a review of the suspension, demotion, or dismissal within 48 hours after being notified of the disciplinary action. The appeal must be made in writing to the City Manager and must state the basis of the appeal and the remedy the employee is seeking. The City Manager shall then hold a hearing as soon as practical.

Upon completion of the appeal process, the City Manager may take one of the following actions, which shall be final:

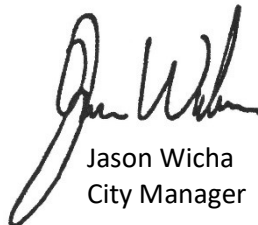
- a) Sustain the disciplinary action.
- b) Reverse the disciplinary action.
- c) Reverse the disciplinary action and impose other appropriate disciplinary action.

**3.8** In the absence of the department head, the supervisor in charge does not have authority to suspend, demote or dismiss an employee. However, if the circumstances warrant immediate disciplinary action, the supervisor in charge may relieve an employee from duty for the remainder of the workday. The supervisor taking such action should confer with the department head immediately upon his/her return. If the department head's absence is for a longer period, the supervisor should confer immediately with the Director of Human Resources or, if unavailable, the City Manager on the nature of the proposed action and the need for further action. Should the department head, Director of Human Resources and City Manager all be unavailable in situations warranting immediate action, the supervisor in charge may relieve the individual from duty with pay until the above individuals can be contacted.

**3.9** When situations warrant individual attention or action of any unusual nature, department heads are encouraged to seek clarification and guidance from the Director of Human Resources or the City Manager regarding matters relating to disciplinary procedures.

#### **4.0** Distribution

**4.1** HR website: [www.citylf.org](http://www.citylf.org).



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