

JACKSONVILLE POLICE DEPARTMENT

Policy: 7-9
Effective: 01-01-09
Revised: 04-25-19

DISCIPLINARY PROCEDURE

PURPOSE: To establish Department guidelines in progressive steps of disciplinary action.

POLICY: It is the policy of this Department to avoid separation of employment of an otherwise productive employee when conduct, behavior, or performance problems occur, if possible. This Department will use progressive disciplinary action to bring about change once it is shown that a employee knew, or should have known, that such conduct, behavior or performance failed to comply with established policies, provided that the conduct, behavior or performance was not caused by a lack of skills or ability that the typical employee would not be expected to possess. Prior to taking any such disciplinary action, lesser forms of actions, such as supervisory consulting or formal counseling, will be appropriate and were followed when circumstances allow.

PROCEDURES:

I. ADMINISTRATION

When discipline is deemed appropriate, this Department will use a progressive system, when practicable.

- A. Furthermore, discipline shall be for cause and shall follow the basic concepts of due process.
- B. This Department will not illegally discriminate against current employees, potential employees, or employee groups on the basis of sex, ethnic background, race, religion, color, age, or physical disability in any disciplinary or separation of employment proceedings.
- C. Supervisors must ensure that fair enforcement decisions are made in the use of disciplinary or separation of employment action. Fair enforcement incorporates the concepts of equality and equity; supervisors will not illegally discriminate against employees and will treat them equally when making decisions about the appropriate type of intervention to use in correcting a performance deficiency. Solutions will include, but are not limited to, training, discipline, remedial training, reassignment, demotion, and lastly, separation of employment. Whatever the administrative action, its amount and degree must be based on equity.
- D. A Pre-Disciplinary Hearing will be established anytime the Chief of Police is considering disciplinary action on an officer that is above a written reprimand. The officer may opt-out of the Pre-Disciplinary Hearing. In this instance, the Chief of Police will move forward to the Disciplinary Review Board.

II. EQUITY DEFINED

- A. Equity means that supervisors review each employee's performance deficiency and consider the following:
 - 1. Circumstances to help determine the amount and degree of administrative action;
 - 2. The seriousness of the offense;
 - 3. Management's expectation that the type and level of administrative action will facilitate or deter the conduct, work proficiencies or behaviors of others;
 - 4. The employee's overall conduct, work productivity, time between other violations (if other offenses occurred), and behavior record;
 - 5. Management's expectation based on the employee's overt behavior, that the type and level of administrative action will correct and improve the employee's future job performance. In