

Policies

Subject: Disciplinary actions for non-represented employees

Section: Human Resources

Approved by: Marissa Madrigal, Chief Operating Officer

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Replaces: Disciplinary actions for non-represented employees, adopted Jan. 1, 2016

PURPOSE

Metro employees are expected to perform their jobs and conduct themselves in a manner consistent with Metro values, policies, and rules. This policy is intended to support employees achieve and maintain high standards of job performance and conduct. It provides tools for addressing employee performance and conduct in a reasonable, consistent, and effective manner.

APPLICABLE TO

All non-represented employees. *Discipline of represented employees will be in accordance with applicable collective bargaining agreements.*

GUIDELINES

1. Metro may discipline or terminate an employee whenever the employee's conduct or performance is unsatisfactory. Supervisors and employees should work together to ensure expectations are clear and to resolve performance and conduct problems as soon as they arise. Supervisors are encouraged to provide training and coaching to support employees' success, consistent with the Metro value of excellence.
2. Disciplinary actions may include but will not be limited to the following:
 - a) Verbal warning;
 - b) Written reprimand;
 - c) Suspension;
 - d) Transfer;
 - e) Demotion; or
 - f) Termination from employment.

3. Management has the discretion to determine the level of discipline based on the severity of the offense. Progressive discipline is not required.

If circumstances allow, disciplinary actions will occur in a manner that is least likely to embarrass the employee before other employees or the public.

PROCEDURES

1. When appropriate, supervisors should engage in conversation(s) with the employee to address issues and concerns and counsel them on expectations. Effort should be timely and work toward resolving issues at the lowest level possible.
2. Supervisors must consult with Human Resources Business Partners before taking any disciplinary action. Business partners will review relevant information, ensure required processes for notifications and pre-disciplinary meetings are followed and, depending on disciplinary level, discuss potential economic impacts on the employee.
3. Records of Verbal warnings and Written reprimands. As soon as practical, supervisors must provide the HR Department a record of any verbal warnings or written reprimands that are issued to an employee and include the reason for the discipline. This record will be included in the employee's personnel file.
4. Notices for potential Suspension, Reduction in pay, Transfer, Demotion or Termination.
 - a) In instances where a suspension or disciplinary action above a suspension are being considered, the employee must receive a written notice of the contemplated disciplinary action in person or by mail. HR personnel will draft this notice and provide the supervisor guidance for delivery of the information. This notice must include:
 - i. A statement that discipline is being considered;
 - ii. The alleged conduct and/or violations by the affected employee;
 - iii. Reasons for the discipline level being considered;
 - iv. A date, time, and place for the affected employee to have an opportunity to address the violation(s) at a pre-disciplinary meeting.
 - b) Upon completion of the pre-disciplinary meeting, Metro will provide the employee with a written notice of the actual disciplinary action taken, if any. This notice will state the disciplinary action taken, the violation(s), and the effective date of the disciplinary action. This notice will be a permanent part of the affected employee's personnel record.
 - c) In some limited circumstances, in consultation with HR and OMA, a Department Director may place an employee on administrative leave with or without pay while discipline is pending, consistent with applicable wage and hour laws.

5. The Human Resources Director or his/her designee may, in his/her discretion, dispense with all or part of these procedures as appropriate to the situation, with or without notice to the employee.