

## RESOLUTION

**WHEREAS**, the Board of Supervisors has adopted County of Albemarle Personnel Policies pursuant to Albemarle County Code Section 2-1102; and

**WHEREAS**, the Board desires to amend Section P-22 regarding employee discipline.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Supervisors of Albemarle County, Virginia, hereby amends Section P-22, Employee Discipline, of the County of Albemarle Personnel Policies, as follows:

### Section P-22 Employee Discipline

The Board recognizes its continuing responsibility to develop and administer necessary policies and regulations in a fair and consistent manner. ~~The Board also recognizes~~ and the obligations of all employees to conform ~~with these~~ to these policies and regulations.

The Board seeks to establish and maintain appropriate administrative policies which will provide the most efficient operation of the Albemarle County Local Government and to provide for proper disciplinary action whenever an employee fails to observe such policies and regulations.

### PROCEDURE FOR ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

- A. ~~Whenever an employee violates any of the Board regulations,~~ All employees shall comply with County and departmental expectations of behavior and performance. Employees who are non-compliant with these expectation the employee may be subject to official disciplinary action up to and including discharge.
- B. Disciplinary action will be taken in private by the employee's ~~immediate~~ supervisor(s) and will normally be progressive consistent with the ~~seriousness~~ severity of the infraction:

The normal course will be:

1. Oral reprimand
2. Written reprimand
3. ~~Suspension with pay (for investigative purposes)~~
4. 3. Suspension with or without pay:

~~The County Executive or designee may suspend classified personnel for just cause.~~ All pay and benefits may be suspended concurrently if suspension without pay is utilized.

#### 5.4. Dismissal

~~The County Executive or designee may place on probation and dismiss non-probationary employees for just cause. A non-probationary employee who is dismissed may appeal the decision through the Grievance Procedure except for appointed department heads; probationary employees shall not have the right to utilize the Grievance Procedure. Dismissal is also governed by Policy § P-26.~~

- C. ~~Any intentional violation of regulations that may endanger the safety of a fellow employee may be the cause for immediate discharge.~~ Additionally, the County reserves the right to demote an employee as a disciplinary action.
- D. All official ~~written~~ disciplinary action must be recorded and forwarded to the ~~Director of Human Resources~~ Department for inclusion in the employee's personnel file, with a copy provided to the employee.
- E. The department head or designee has the right to utilize any or all of the ~~preceding~~ steps in the disciplinary process ~~with suspension without pay or dismissal subject to approval by the County Executive or designee.~~ However, the department head must be consulted on all disciplinary actions that result in a written reprimand, suspension, demotion, or dismissal.
- F. All disciplinary complaints are subject to the approved grievance procedure. If an appeal is made of any disciplinary action, the appealing employee should recognize that at each level of the process, a new hearing on the matter will be held at each level of the process and the disciplinary action rendered at subsequent levels may be either more or less stringent.
- G. The department head or designee must consult with the Director of Human Resources and/or the County Attorney's Office prior to utilizing demotion, suspension, or dismissal.
- H. Administrative leave with or without pay may be utilized for purposes of conducting an investigation and pending a determination of guilt in a criminal case. Employees who are reinstated to their former position may be granted back pay. The department director may take whatever personnel actions are deemed necessary to protect the County and promote the objectives of the department, even if there is a finding made of not guilty in a criminal case or if the case is otherwise dismissed or nolle prossed or a finding of "not founded" occurs in a child abuse or neglect administrative proceeding.

Amended: August 7, 1996

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of \_\_\_\_ to \_\_\_\_, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____