Town of Fair Haven
Progressive Discipline Policy

The Town of Fair Haven has adopted a progressive discipline policy to identify and address employee and employment related problems. This policy applies to any and all employee conduct that the Selectboard, in its sole discretion, determines must be addressed by discipline.

Most often employee conduct that warrants discipline results from unacceptable behavior, or violation of the Town's policies, practices or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. Equally important, the Town need not resort to progressive discipline, but may take whatever action it deems necessary to address the issue at hand. This may mean that more or less severe discipline, up to and including termination, maybe imposed in a given situation. Violations of different rules may be treated as repeated violations of the same rule for purposes of progressive discipline.

Probationary employees are not subject to this progressive discipline policy.

The Town will normally adhere to the following progressive disciplinary process, but reserves the right to deviate from this process when it determines, in its own discretion, that deviation from the process is warranted:

1. Verbal Warning: An employee may be given a verbal warning when he or she engages in problematic behavior. As the first step in the progressive discipline policy, a verbal warning is meant to alert the employee that a problem may exist or that one has been identified, which must be addressed. Verbal warnings will be documented and maintained in the employee's personnel file by the [selectboard/town manger/department head].

2. Written Warning: A written warning is more serious than a verbal warning. A written warning may be given when an employee engages in conduct that justifies a written warning or the employee engages in unacceptable behavior during the period that a verbal warning is in effect.

3. Suspension: A suspension without pay is more serious than a written warning. An employee may be suspended when he or she engages in conduct that justifies a suspension or the employee engages in unacceptable behavior during the period that a written warning is in effect. An employee's suspension will be documented regardless of the length of the suspension issued.

4. Termination: An employee will be terminated when he or she engages in conduct that justifies termination.

Again, while the Town will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation.

GRESSIVE DISCIPLINE POLIC

Town of Fair Haven

Employees are prohibited from engaging in conduct listed below and may receive discipline up to and including termination for doing so. This list has been established to serve as examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee behavior. This list is not exhaustive.

- Refusing to do assigned work or failing to carry out the reasonable assignment of a supervisor or department head.
- Being inattentive to duty, including sleeping on the job.
- Falsifying a time card or other record or giving false information to anyone whose duty is to make such record.
- Being repeatedly or continuously absent or late, being absent without notice or satisfactory reason or leaving one's work assignment without appropriate authorization.
- Conducting oneself in any manner which is offensive, abusive or contrary to common decency or morality;
- Carrying out any form of harassment including sexual harassment.
- Misusing or willfully neglecting Town property, funds, materials, equipment or supplies.
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty.
- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Stealing or possessing without authority any equipment, tools, materials or other property of the Town or attempting to remove them from the premises without approval or permission from the appropriate authority.
- Marking or defacing walls, fixtures, equipment, tools, materials or other Town property, or willfully damaging or destroying property in anyway.
- Willful violation of Town rules or policies.

The foregoing Policy is herby adopted by the Selectboard of the Town of Fair Haven, Vermont this 8th day of September 2006 and is effective as of this date until amended or repealed.

Signatures of Selectboard:

Ronald Adams

Ronald Adams

Julie A Ellis

Julie Ellis

Raymond Bunker

Raymond Bunker

Jeff Sheldon

Jeff Sheldon

Claire L. Stanley

Claire Stanley

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Progressive discipline appeal policy:

This policy is in place for employees that are not represented by the union. A disciplinary action, such as a reprimand or termination, must be present to use this process.

To begin this process the employee should follow the steps below:

Step 1: The employee concerned shall endeavor to adjust the matter with the supervisor within (5) working days.

Step 2: If unable to arrive at a satisfactory adjustment the matter shall then be presented to the Town Manager or his designee, and both shall endeavor to adjust the matter within five (5) working days.

Step 3: If unable to arrive at a satisfactory adjustment to the matter, or the Town Manager is the supervisor to which the issue is not satisfactorily resolved, an appeal can be presented to the Board of Selectmen. To appeal to the Board of Selectman, the employee should write a letter to the Select Board Chair with a copy to the supervisor. If the Board of Selectman deems the appeal warranted, it can have an executive session at the first available Selectman Board meeting with in thirty (30) days. The Select Board shall endeavor to adjust the matter within fifteen (15) working days after the executive session.

Note: The Select Board reserves the right to review an appeal by the employee and either denies the appeal or approves to hear it. The Select Board's decision is the final decision of the town and will be given in writing to the employee within 45 days of receiving the appeal request.

Dated at Town of Fair Haven, County of Rutland, State of Vermont, this 14 day of June 2011

Board of Selectmen

Jeff Sheldon (Chair)

Claire Stanley (clerk)

Christopher Cole

Tim Langlois

Rod Holzworth II