

	<b>CITY OF DECATUR PERSONNEL POLICY</b>		
<b>Chapter 05</b>	<b>Conduct</b>		
<b>Section 04</b>	<b>Work Rules and Disciplinary Action</b>		
<b>Revised By:</b>	<b>Nate Mara, City Manager</b>	<b>Revised Date:</b>	<b>December 08, 2025</b>
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**05.04 - Work Rules and Disciplinary Action**

To ensure orderly and productive operations and provide the best possible work environment, the City requires employees to follow rules of conduct that will protect the interests and safety of the City, its citizens, and employees.

A. **Progressive Discipline.** The City generally observes progressive discipline, whenever possible. The City is not obligated to use all of the progressive disciplinary steps available, and may begin the disciplinary process at any level, up to and including immediate termination, depending upon the severity of the conduct, the employee’s work performance and prior disciplinary history, the employee’s length of service, and any mitigating circumstances. At-will employment status is not affected by the use of the progressive discipline process. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- Verbal warning
- Letter of counseling
- Written reprimand
- Probation
- Suspension (without pay)
- Demotion
- Final Written Warning
- Discharge

B. **Documentation.** All forms of discipline, other than oral warnings, must be documented and will be placed in the employee’s personnel file. In the event an employee is to be discharged, the supervisor shall forward a copy of the documentation to the Director of Human Resources for review prior to taking the action, who shall forward a copy of the dismissal to the City Manager. The Supervisor will also make a recommendation concerning the possible rehiring (or not rehiring) of the person in the future.

The City Charter requires that requested items be furnished for documentation and or process. If information is not provided, the City Manager will implement appropriate measures to ensure compliance. For full details, please refer to the Home Rule Charter of the City of Decatur, Texas.

- C. **Supervisory Responsibility.** All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document their subordinates' job performance, conduct, and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner at least annually; discipline their subordinates as required under their departmental and/or City policies and procedures as well as address performance appeals submitted to them as provided by policy in a professional manner, in an attempt to resolve such issues at the lowest possible supervisory level. More stringent definitions and requirements apply to the Fire and Police Departments and are provided in their department policy.

Review by Director of Human Resources: Supervisors are encouraged to consider the Human Resources Department as a resource in any issues addressing employee misconduct or performance deficiencies. Any proposed disciplinary action involving termination of an employee must be reviewed by the Director of Human Resources or their designee prior to termination. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may discipline and/or suspend the employee pending the results of an investigation. All documented disciplinary action will be reviewed by the Director of Human Resources before being placed in the employee's permanent file. This applies to both employees serving in the initial orientation period and regular employees that have completed the initial orientation period. Human Resources should be advised of all disciplinary action imposed at the time of the action or once complete and should be provided a copy of the documentation.

- D. **Inclusion of Employee's Account.** Where a disciplinary action involves a suspension of 1 day (or 1 shift) or more, demotion and/or termination, the employee will normally be given an opportunity to respond to the allegations prior to disciplinary action being taken, as part of any investigation of the matter giving rise to the suspension, demotion or termination.
- E. **Prohibited Activities.** Disciplinary action will be imposed for violations of City or departmental policies and procedures, codes of conduct, rules and regulations, either written or verbal. In addition, acts which are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect the reputation of the City or put the health and safety of fellow employees, citizens or other third parties, at risk, may also result in disciplinary action. It is impossible to list all the forms of behavior that are considered unacceptable in the workplace.

The following are some examples of misconduct that may likely result in disciplinary action, up to and including termination of employment:

1. Theft or inappropriate removal or use of City property or other property not belonging to the employee;
2. Falsification of timekeeping or other government records;
3. Possession of drugs or reporting for work or working under the influence of or a presence in the system of alcohol or illegal drugs;
4. Harassment;

5. Misuse of City telephones, computers, mail systems, internet, etc.;
6. Excessive or unscheduled absenteeism, tardiness in reporting for work or returning from lunch and breaks or absence without notice and/or approval;
7. Breaks in excess of the allotted time allowed;
8. Violation of smoking policy;
9. Violation of safety or health rules and failure to immediately report an on-the-job injury/accident;
10. Unauthorized disclosure of confidential information;
11. Violation of any provision of the City Charter;
12. Violation of City or departmental policies, codes of conduct, rules and procedures;
13. Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials, or others;
14. Making or publishing false, vicious, or malicious statements about the City, or a City employee or citizen, or others;
15. Unsatisfactory performance or conduct;
16. Neglect of duty;
17. Disruptive activity in the workplace;
18. Conduct which results in waste or damage of a coworker's, City, or citizen-owned property;
19. Insubordination or other disrespectful or unprofessional conduct;
20. Discourteous treatment of the public;
21. Possession of weapons on City time, City premises (except for licensed peace officers or as law allows for first responders allowed to carry a weapon as part of their job duties or employees with concealed handgun license with permitted weapon locked in their personal vehicle);
22. Violation of local, state or federal law;
23. Conviction of a any crime other than fine-only offenses;

24. Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension, failure to report for duty for 1 shift or more without contacting the supervisor or the failure to notify the immediate supervisor in the event of illness or arriving late;
25. Outside employment that conflicts with, or potentially conflicts with, City interests;
26. Acceptance of payment of any kind for activities related to City Employment;
27. Sleeping on the job (except for Fire Department personnel who are governed by applicable Fire Department Rules and Regulations); or
28. Dishonesty, including misrepresentation during the hiring process.

- F. **Disciplinary Meeting.** A disciplinary meeting will be scheduled prior to the imposition of a disciplinary suspension of 1 day (or 1 shift) or more, demotion, or termination. The Department Director, the affected employee, the Director of Human Resources, and anyone else deemed necessary by the Department Director typically attend the disciplinary meeting. During the meeting, the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees will be given advance notice of the meeting. Employees may, in the City's sole discretion, be placed on administrative leave prior to, during, or after the disciplinary meeting. The employee will be notified of the City's determination following the meeting.
- G. **Administrative Leave.** During an investigation into alleged offenses or violations of City policies, the City may, at its sole discretion, place the employee on administrative leave. The leave may be with or without pay and may be charged to available accrued leave, where authorized by the Department Director.

Administrative Leave may be granted with or without pay to an employee, at the discretion of the City Manager (or designee), when no other paid leave category is available or applicable.

Department Directors may designate Administrative Leave with pay only pending a disciplinary decision or drug/alcohol screening results, or during an internal investigation.

Written notice of administrative leave shall be provided to the employee and a copy forwarded to the Director of Human Resources for proper payroll processing.