

CITY OF SACRAMENTO

ADMINISTRATIVE POLICY INSTRUCTIONS

Topic: Discipline Procedures and Review Standards **Effective Date:** July 15, 2002

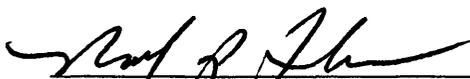
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To: Department Directors/Division Managers **Section:** API #34



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SUMMARY OF CONTENTS

| <u>Topic</u> | <u>Page No.</u> | <u>Last Revision</u> |
|---|-----------------|----------------------|
| 1. Scope and Purpose | 2 | N/A |
| 2. Disciplinary Actions Addressed by this API | 2 | N/A |
| 3. Procedures | 2 | N/A |

Discipline Procedures and Review Standards

1. Scope and Purpose

- 1.1 **Scope:** This Administrative Policy Instruction (API) applies to the interaction between Department Directors, the Office of Labor Relations, the City Attorney's Office, and the Office of the City Manager regarding certain disciplinary actions initiated against City employees.
- 1.2 **Purpose:** The purpose of this API is to provide procedures for the review and evaluation of certain disciplinary actions and a mechanism for the resolution of disagreement regarding the level of discipline to be imposed or the sufficiency of the evidence upon which such actions are based.

2. Disciplinary Actions Addressed by this API

- 2.1 Any disciplinary action initiated pursuant to Rule 12.2 of the Rules and Regulations of the Civil Service Board, which involves an intent to suspend an employee for eighty (80) hours or greater, an in-grade reduction equivalent to an eighty (80) hour suspension, a demotion, or termination is subject to the procedures and review standards established by this API.
- 2.2 Pursuant to the City Charter, disciplinary actions initiated by the Fire Chief or Chief of Police, involving the demotion or termination of a sworn member of the Fire Department or Police Department, respectively, must be reviewed and approved by the City Manager, and is a disciplinary action that is also subject to the procedures and review standards established by this API. Disciplinary actions of sworn members of the Fire or Police Departments, involving suspensions, equivalent in-grade reductions, or reprimands are addressed by paragraph 3.5 below.
- 2.3 Disciplinary actions which involve an intent to suspend an employee for seventy-nine (79) hours or less, or a written reprimand, are not subject to the procedures of this API. These actions shall continue to follow existing procedures.

3. Procedures

- 3.1 Any disciplinary action covered by this API must be reviewed by the Director of Labor Relations, the City Attorney's Office, and the Department Director. This review shall occur prior to the issuance of the letter notifying the employee of the proposed discipline.

- 3.2 If the Director of Labor Relations and the Department Director do not agree as to the level of discipline, or if any one of these officials disagree regarding the sufficiency of the evidence upon which the proposed discipline is based, the disciplinary case file will be referred to and reviewed by the City Manager or designee, who will resolve the matter in dispute.
- 3.3 If at any subsequent stage of the disciplinary process, or prior to a hearing of an appeal of a disciplinary action, the City Attorney's Office identifies an issue involving the sufficiency of the evidence supporting an on-going disciplinary action, the Director of Labor Relations, the City Attorney's Office and the Department Director shall meet and discuss such issues. If, following such a meeting, the City Attorney's Office continues to have concerns regarding the sufficiency of the evidence, the matter shall be immediately referred to the City Manager or designee for resolution.
- 3.4 Once a disciplinary action has been referred to the City Manager, any subsequent decision by the department to impose discipline, or any change affecting that case shall be reviewed by the City Manager or designee prior to implementation.
- 3.5 Pursuant to authority vested in the positions of the Fire Chief and Chief of Police by the City Charter, the procedures specified in paragraphs 3.2, 3.3, and 3.4, above, for disciplinary actions involving suspensions and equivalent in-grade reductions initiated against sworn members of the Fire Department and Police Department, shall apply, except that the City Manager will be consulted for advice in the event of a disagreement regarding the level of discipline or sufficiency of the evidence. Final authority, however, to impose a suspension or equivalent in-grade reduction against a sworn member of either department is vested in the position of the respective Chief.
- 3.6 Disciplinary actions shall be initiated and completed as soon as possible, considering the circumstances, complexity, scope and seriousness of the misconduct involved in individual cases. Department Directors are responsible for ensuring disciplinary actions are properly prioritized and that the procedural requirements are satisfied in a timely manner. Progress in processing disciplinary actions shall be reviewed every thirty (30) days to insure that they are completed expeditiously. In the event that the Director of Labor Relations notifies a Department Director that a disciplinary action is being handled in a manner that it inconsistent with this policy, and no affirmative actions are taken to expedite its completion, the matter shall be referred to the City Manager.

