

Texas Fire Chiefs Association  
**DOCUMENT SUBMISSION FORM**

Candidate Department: Coppel Fire Department

Best Practice Standard: 12.13 Truthful

**Proofs of Compliance Submitted:**

- City Of Coppel Employee Conduct and Work Rules/Disciplinary Action Policy No. 1181 states that “dishonesty” and the “falsification” of records are prohibited activities.

<b>Submitted By:</b> Gregg Loyd	<b>Date:</b> 10/1/2013
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**Evaluator’s Review**

**Evaluator:**

**Date Accepted:**

**CITY OF COPPELL POLICIES AND PROCEDURES HANDBOOK**  
**EMPLOYEE CONDUCT AND WORK RULES/DISCIPLINARY ACTION**  
**Policy No. 1181**

Rev. 10/01/2004

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.

**Progressive Discipline.** In certain instances, the City will use a progressive disciplinary system. The City is not obligated to use all of the progressive disciplinary steps available to it, and may begin the disciplinary process at any level, up to and including immediate discharge, 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. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- oral warning
- letter of counseling
- written reprimand
- suspension (without pay)
- decision making leave (with pay)
- demotion
- discharge

**Documentation.** All forms of discipline, other than oral warnings, must be documented and will be placed in the employee's personnel file.

**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; 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. Supervisors must coordinate all disciplinary action, other than oral warnings, with the Human Resources Department.

**Decision Making Leave.** Decision making leave with pay is a positive form of discipline that may be appropriate in some situations. It may be used alone, as an alternative to other types of discipline, or in combination with other forms of discipline. The purpose of decision making leave with pay is to give employees time to decide if they wish to remain employed by the City, and if so, if they can and will correct their behavior. As with other types of disciplinary action, decision making leave must be documented, including the employee's statement upon return to

work. Decision making leave with pay may only be used one time in a 12-month period for the same employee and cannot exceed one day or one shift, as appropriate.

**Appeal Rights.** Where disciplinary action includes 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. (See Employee Appeals Policy No. 1182). However, positions classified as Director level and above are employed at the will and pleasure of the City Manager and have no right of appeal for any type of disciplinary action, including termination. Probationary employees likewise have no right of appeal for disciplinary action taken against them.

**Review by Human Resources Department.** Any proposed disciplinary action in excess of an oral warning must be reviewed by the Human Resources Department prior to being given to the employee. This applies to both probationary and non-probationary employees.

**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 City or put the health and safety of fellow employees, citizens or other third parties, at risk, will also likely 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 conduct that will likely result in disciplinary action, up to and including termination of employment:

Theft or inappropriate removal or use of property not your own

Falsification of timekeeping or other records, including employment application

Working under the influence of alcohol or illegal drugs

Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating City-owned equipment

Sexual or other unlawful harassment

Interfering with work schedules or another employee's ability to work

Misuse of City telephones, computers, mail systems, etc.

Excessive or unscheduled absenteeism, tardiness or absence without notice and/or approval

Breaks in excess of the allotted time allowed

Violation of smoking policy

Violation of safety or health rules and failure to immediately report an on-the-job injury/accident

Profanity, abusive language, or racial slurs

Unauthorized disclosure of confidential information

Violation of City or departmental policies, codes of conduct, rules and procedures

Coercion, intimidation, or threats against citizens, supervisors, co-workers, City officials, or others

Making or publishing false, vicious, or malicious statements about the City, or a City employee or citizen, or others

Unsatisfactory performance or conduct

Fighting, provoking or instigating a fight, or threatening violence

Disruptive activity in the workplace

Conduct which results in waste or damage of a coworker's, City, or citizen-owned property

Insubordination or other disrespectful or unprofessional conduct

Possession of weapons on City time, City premises, or while on City business (except for licensed peace officers required to carry a weapon as part of their job duties)

Violation of local, state or federal law

Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension

Outside employment that conflicts with, or potentially conflicts with, City interests

Failure or refusal to follow lawful orders

Sleeping on the job (except for Fire Department personnel who are governed by applicable Fire Department Rules and Regulations)

Dishonesty, including misrepresentation during the hiring process

**Felonies and Misdemeanors.** Employees must immediately notify their supervisor and/or Department Director if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead nolo contendere to any misdemeanor or felony. Employees who do not drive as a part of their job duties with the City are not required to report minor traffic violations. In most instances, the City will conduct its own investigation and take appropriate action; in rare instances however, an employee arrested, charged, or indicted for a felony or misdemeanor, or accused by information of official misconduct or other serious criminal violation, may be placed on administrative leave (with or without pay) until the charge, indictment or information is

dismissed or fully adjudicated without trial, and if tried, until the trial and appeal (if any) are completed and all related administrative matters are concluded. Such a determination will typically be made by the Department Director and the Director of Human Resources. An employee on administrative leave may, in the City's sole discretion, be reinstated to the position held before being placed on administrative leave (if available), if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

**Disciplinary Conference.** A disciplinary conference will be scheduled prior to the imposition of a disciplinary suspension of 1 day or 1 shift, demotion or termination. The Department Director, the affected employee, the Human Resources Director (or Assistant Director) and anyone else deemed necessary by the Department Director typically attend the disciplinary conference. During the conference, the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees will usually be given 2 days advance notice prior to the conference. Employees may, in the City's sole discretion, be placed on administrative leave prior to, during, or after the disciplinary conference. The employee will be notified of the City's determination following the conference.

**Administrative Leave.** During an investigation into alleged offenses or violations of City policies, the City may, in 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 if authorized by the City Manager.