

# CODE OF CONDUCT AND MINIMUM DISCIPLINARY ACTIONS

| RULE NUMBER | OFFENSES & DEFICIENCIES ON/OFF JOB                                                                                                                                      | FIRST OFFENSE                    | SECOND OFFENSE                               | THIRD OFFENSE                                | FOURTH OFFENSE |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------------------|----------------------------------------------|----------------|
| 1           | Gambling, lottery or engaging in any game of chance at City work stations at any time.                                                                                  | Written instruction & cautioning | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 2           | Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls or similar types of disorderly conduct. | Written instruction & cautioning | Instruction & 3 days suspension              | Instruction & 5 days suspension              | Dismissal      |
| 3           | Sleeping during working hours unless otherwise provided as in the Fire Service.                                                                                         | Written instruction & cautioning | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 4           | Disregarding job duties by loafing or neglect of work during working hours.                                                                                             | Written instruction & cautioning | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 5           | Wasting time, loitering or leaving assigned work area during working hours without authorization.                                                                       | Written instruction & cautioning | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 6           | Threatening, intimidating, coercing, or interfering with fellow employees or supervisors at any time, including abusive language.                                       | Written instruction & cautioning | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 7           | Unauthorized distribution of written or printed material of any description.                                                                                            | Written instruction & cautioning | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 8           | Unauthorized vending, soliciting, or collecting contributions for any purpose whatsoever at any time on City premises.                                                  | Written instruction & cautioning | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |

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|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------------------------|----------------|
| 9           | Deliberately destroying, misusing, or damaging public property or any City property or equipment or the property and equipment of any employee. | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |
| 10          | Unauthorized use, possession or operation of any City property or equipment or the property and equipment of any employee.                      | Written instruction & cautioning             | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 11          | Tardiness (Guide: three (3) times in a thirty day period)                                                                                       | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 12          | Excessive absenteeism (Guide: three (3) times in a thirty day period)                                                                           | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 13          | Productivity or workmanship not up to required standard of performance.                                                                         | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 14          | Reporting to work under the influence of intoxicating beverages or drugs.                                                                       | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 15          | Being in possession of intoxicating beverages or narcotics during the time while on duty.                                                       | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 16          | Using intoxicating beverages or narcotics during the time while on duty.                                                                        | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |
| 17          | Fighting, provoking or instigating a fight.                                                                                                     | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |

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|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------|---------------|----------------|
| 18          | Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of the supervisory force or discourtesy to persons with whom he/she comes in contact while in the performance of his/her duties. | Instruction & 5 days suspension or dismissal | Dismissal                                    |               |                |
| 19          | Immoral, unlawful, or improper conduct or indecency, whether on or off the job which would tend to affect the employee's relationship to his/her job, fellow workers' reputations or goodwill in the community.                           | Instruction & 5 days suspension or dismissal | Dismissal                                    |               |                |
| 20          | Absence without authorized leave or permission. If the absence is for 3 consecutive workdays, the employee will have been deemed to have abandoned the position and resigned from City employment.                                        | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal     |                |
| 21          | Falsification of personnel or City records including but not limited to: employment applications, accident records, purchase orders, time sheets, or any other report, record or application.                                             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal     |                |
| 22          | Theft or removal from City locations without proper authority <u>any</u> City property or property of any employee.                                                                                                                       | Instruction & 5 days suspension or dismissal | Dismissal                                    |               |                |
| 23          | Carelessness which affects the safety of personnel, equipment, tools, or property or causes materials, parts, or equipment to be damaged or scrapped.                                                                                     | Written instruction & cautioning             | Instruction & 5 days suspension or dismissal | Dismissal     |                |

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| RULE NUMBER | OFFENSES & DEFICIENCIES ON/OFF JOB                                                                                                                                                                                      | FIRST OFFENSE                                | SECOND OFFENSE                               | THIRD OFFENSE                                | FOURTH OFFENSE |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------|----------------------------------------------|----------------|
| 24          | Wanton or willful neglect in their performance of assigned duties.                                                                                                                                                      | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 25          | Wanton or willful violation of statutory authority, rules, regulations or policies.                                                                                                                                     | Instruction & 3 days suspension or dismissal | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 26          | Continual and willful failure to pay just debts or continual and willful failure to make provision for the payment of just debts.                                                                                       | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 27          | Failure to work overtime, special hours or special shifts after being scheduled according to overtime and stand-by duty policies or failure to respond to call during adverse weather conditions or emergencies.        | Written instruction & cautioning             | Instruction & 3 days suspension or dismissal | Instruction & 5 days suspension or dismissal | Dismissal      |
| 28          | Taking more than specified time for meals or rest periods.                                                                                                                                                              | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 29          | Where the operations are continuous, an employee shall not leave his/her post at the end of his/her scheduled shift until he/she is relieved by his/her supervisor or his/her relieving employee on the incoming shift. | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 30          | Violating a safety rule or safety practice.                                                                                                                                                                             | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 31          | Failure to report an accident or personal injury in which the employee was involved while on the job.                                                                                                                   | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |

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| 32          | Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.                                                                | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 33          | Failure to keep the department and/or Human Resources notified of proper address or telephone number (if any).                                    | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 34          | Making or publishing of false, vicious, or malicious statements concerning any employee, supervisor, the City or its operations.                  | Written instruction & cautioning             | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 35          | Posting or removing any material on bulletin boards or City property at any time unless authorized.                                               | Written instruction & cautioning             | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 36          | Refusal to give testimony in accident investigations                                                                                              | Written instruction & cautioning             | Instruction & 5 days suspension or dismissal | Dismissal                                    |                |
| 37          | Habitual failure to punch your own time card (Guide: three (3) times in a thirty (30) day period.                                                 | Written instruction & cautioning             | Instruction & 3 days suspension              | Instruction & 5 days suspension or dismissal | Dismissal      |
| 38          | Knowingly punching the time card of another employee; having one's time card punched by another employee or unauthorized altering of a time card. | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |
| 39          | Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits, workers' compensation benefits.                  | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |
| 40          | Unauthorized possession of firearms, explosives, or weapons on City property.                                                                     | Instruction & 5 days suspension or dismissal | Dismissal                                    |                                              |                |

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|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|---------------|----------------|
| 41          | Failure to return from an authorized leave of absence. If the absence is for three (3) consecutive workdays, consider the employee to have abandoned the position and resigned from the City.                                                                                                                            | Dismissal                                             |                |               |                |
| 42          | Knowingly harboring a communicable disease.                                                                                                                                                                                                                                                                              | Dismissal                                             |                |               |                |
| 43          | Concerted curtailment or restriction of production or interference with work in or about the City's work stations, including, but not limited to, instigating, leading, or participating in any walkout, strike, sit-down, stand-in, slow-down, refusal to return to work at the scheduled time for the scheduled shift. | Dismissal                                             |                |               |                |
| 44A         | Pleading guilty or nolo contendere to, or being found guilty by a jury or court of a misdemeanor involving physical violence, theft, driving under the influence of alcohol or drugs or possession or sale of drugs, regardless of whether or not adjudication is withheld and probation imposed.                        | Written instruction & 5 days suspension or dismissal  | Dismissal      |               |                |
| 44B         | Pleading guilty or nolo contendere, or being found guilty by a jury or court of a felony, regardless of whether or not adjudication is withheld and probation imposed.                                                                                                                                                   | Written instruction & 10 days suspension or dismissal | Dismissal      |               |                |
| 45          | Use of bribery or political pressure to secure appointment or advantages.                                                                                                                                                                                                                                                | Dismissal                                             |                |               |                |
| 46          | Continual abuse of Personnel Policies and safety rules.                                                                                                                                                                                                                                                                  | Dismissal                                             |                |               |                |

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|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|-------------------------|---------------|----------------|
| 47          | No employee shall request, use, or permit the use of, whether directly or indirectly, any publicly owned, public-supported property, vehicle, equipment, or labor service, or supplies (new, surplus, scrap or obsolete) for the personal convenience or the private advantage of said employee or any other person. | Written instruction & 5 days suspension or dismissal | Dismissal               |               |                |
| 48          | Engaging in any act(s) of sexual harassment.                                                                                                                                                                                                                                                                         | Instruction and/or 5 days suspension or dismissal    | Suspension or dismissal |               |                |
| 49          | Violation of the City's Code of Ethics.                                                                                                                                                                                                                                                                              | Instruction and/or 3 days suspension or dismissal    | Suspension or dismissal |               |                |
| 50          | Violation of Drug Free Workplace Program and/or Addenda thereto by any covered employee. This rule/penalty is in addition to any other action required by the Program or Addenda and supersedes any other Rules of Conduct applicable to the same conduct.                                                           | Written instruction & 5 days suspension or dismissal | Dismissal               |               |                |