

# Wheels on the Bus, Inc

## Disciplinary Guidelines

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### I. **POLICY**

- A. All employees of WOTB are expected to conduct themselves in accordance with applicable laws, regulations, departmental policies and generally acceptable work behaviors; including, but not limited to HIPPA. Employees in supervisory positions should set an example by their own conduct, attitude and work habits.
- B. Disciplinary measures are to be assessed for unacceptable conduct in a consistent and fair manner.
- C. While guidelines for disciplinary measures are provided, this policy is not intended to be all-inclusive.
- D. **Employee Relations Assistance**
  - 1. Employees and Independent Contractors are encouraged to consult with this section of the policies and procedures manual for questions regarding conduct.
  - 2. Employees and Independent Contractors who wish to visit a member of the management staff shall make arrangements outside of their regular work schedule and at the management staff's convenience.
- E. **Disciplinary Actions**
  - 1. Disciplinary actions shall be considered as constructive procedures for the purpose of correcting inappropriate work behavior. Therefore, in most instances, disciplinary actions should consist of the least severe action to accomplish this purpose.
  - 2. Disciplinary actions, consisting of oral and written reprimands, suspensions, reassignments and terminations, may be imposed on employees by their supervisors/managers in as direct proportion as possible to specific offenses.
  - 3. Disciplinary actions will be administered on a uniform basis. However, each offense must be judged on a case-by-case basis and consideration given to the employee's past record.
  - 4. While disciplinary actions are being considered, a temporary suspension may be imposed for charges such as stealing, insubordination, sexual harassment, falsifying records, gross negligence of consumers, reporting to work under the influence of drugs or intoxicants, consuming drugs or intoxicants while on

duty (excluding prescribed medications), fighting, and criminal charges.

5. **All actions of suspension or termination shall require final approval by Colette Marotto, Owner.**
6. When appropriate, "progressive" discipline will be followed. This means an oral reprimand is followed by a written reprimand. The next step is a suspension, and finally termination. However, serious offenses may result in immediate suspension or termination for the first offense. Progressive discipline also means that after repeated offenses, regardless of whether the offenses are similar or not, WOTB has the right to terminate any employee who, by his/her total behavior, shows himself/herself to be irresponsible.

**The progressive disciplinary process does not have to be applied to probationary employees. However, it is important for probationary employees to be counseled when infractions occur and be told in writing if their continued employment is in jeopardy.**

## **INFORMATION AND PROCEDURES**

### **A. Oral Reprimand**

1. An oral reprimand is usually sufficient for the first occurrence of a minor offense. The occurrence should be documented in the employee file and signed by the employee and a member of the management staff or acknowledged via email.
2. For progressive disciplinary purposes, oral reprimands are effective for one year from the date acknowledged by the employee. Oral reprimands are retained in the personnel file for 1 year. They become part of the employee's permanent, official, personnel record **if** there are subsequent disciplinary actions

### **B. Written Reprimand**

1. An employee will receive a written reprimand as the second step in progressive discipline or for an offense warranting a written reprimand for the first occurrence. The incident must be documented on the Disciplinary Report form and signed by the employee and a member of the management staff. Should the employee refuse to sign the report, it will be noted on the form "employee refused to sign" and an additional member of the management staff will sign as a witness.
2. For progressive disciplinary purposes, written reprimands are effective for one year from the date signed by the employee or

witness. Written reprimands are retained and become part of the employee's permanent, official, personnel record.

### C. Suspensions

1. An employee will receive a suspension as the third step in the progressive disciplinary process or for a serious offense requiring a suspension for the first infraction.
2. Suspensions are normally for three consecutive work days and are **without pay**.
3. The incident must be documented on the Disciplinary Report and signed by the employee and a member of the management staff. Should the employee refuse to sign the report, it will be noted on the form "employee refused to sign" and an additional member of the management staff will sign as a witness.
4. Suspensions remain in the personnel file and become part of the employee's permanent, official personnel record.
5. A suspension may exceed the normal recommended days when an employee has been arrested or is the focus of an administrative or criminal investigation and his/her continued presence at work is not in the best interest of the employee WOTB. Under these circumstances the employee will be placed on an indefinite suspension pending the outcome of the situation. If the employee is exonerated or charges are dismissed through the judicial process or the court, he/she may be entitled to reinstatement with back pay. WOTB, however, may conduct its own investigation and take appropriate disciplinary action based upon the findings.

### D. Termination

1. Colette Marotto, Owner, should be consulted prior to terminating an employee.
2. An employee can be terminated from employment as the final step in the progressive disciplinary process or as the result of a serious offense.
3. The termination letter **must** be addressed to the employee, dated, explain the reason for termination, include the effective date of the termination, cite other disciplinary actions that were taken to correct inappropriate behavior and explain to the employee his/her right to grieve within 14 calendar days of the effective date of the termination. The letter should be signed by a member of the management staff, and, whenever possible, the employee. When the employee is not available, a termination letter may be mailed to the employee by certified mail "return receipt requested."
- 4.

#### **E. Demotion or Reassignment**

1. When termination is not in the best interest of WOTB, an employee may be demoted to a lower level position or reassigned to another consumer.
2. A demotion or reassignment is grievable within 14 days of the effective date of the personnel action.

#### **F. Proper Documentation**

1. All disciplinary actions should be supported by appropriate documentation. This is especially true for actions affecting pay.
2. Disciplinary Reports, termination letters and all attachments should be signed by the employee. Should the employee refuse to sign the report, it will be noted on the form "employee refused to sign" and an additional member of the management staff will sign as a witness.
3. Management staff are strongly encouraged to include a brief statement on the Disciplinary Report informing the employee of the next "possible" disciplinary action should the employee continue to have disciplinary problems.

#### **G. Abandonment of Position**

1. Abandonment of position is defined as absence of three (3) consecutive work days without appropriately notifying the department.
2. If three (3) phone calls or emails are not returned, this will be considered abandonment of position. Communication with management staff is a requirement of employment.
3. Abandonment of position will be regarded as a voluntary resignation.

#### **H. Criminal Charges and Convictions**

1. An employee criminally charged for any act detailed in the Criminal History Disclosure may result in an immediate suspension pending the final disposition of the court. If found not guilty the employee may be eligible for reinstatement with back pay.

#### **I. Reemployment of Terminated Employees**

1. WOTB employees and Independent Contractors terminated for violation of the WOTB Compliance Policy, are not eligible for rehire without the written approval directly from Owner, Colette Marotto.
2. Persons terminated for stealing, harassment, consumer abuse and other serious offenses, cannot be considered for rehire.

**J. For Expectations that may lead to disciplinary action, please refer to the “Expectations” portion of this policy for your job family.**

**\*\*NOTE:**

- 1. This policy, like all other WOTB policies, is not a contract of employment and should not be relied upon as such. This policy may be changed at any time.**
- 2. All forms referenced in and including this document are available on our website: [www.wheelspediatrictherapy.com](http://www.wheelspediatrictherapy.com). Any and all changes to policies, procedures and guidelines are updated immediately and available for your review.**