

Charleston County Coroner's Office Policy #16

Title: Disciplinary Action

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Effective Date: 7/28/2014

Reviewed: 6/19/2019, 9/9/21, 9/15/2023

Authorized By: Bobbi Jo O'Neal, Coroner

16.1 POLICY

This policy is based on the Charleston County Personnel Procedure 7.30 Disciplinary Action however, employees of the Coroner's Office (sworn or non-sworn) are hired and/or fired and/or disciplined at the Coroner's sole discretion. All employees are expected to conduct themselves in accordance with applicable laws, regulations, Charleston County and Coroner's Office policies/procedures, and generally acceptable work behaviors. Employees in supervisory positions should set an example by their own conduct, attitude, and work habits. The Coroner expects employees to observe high standards of honesty, good conduct, and fair play in their relations with each other and with the public. Disciplinary action shall be administered based on an examination of the facts.

16.2 PROCEDURE

1. Any disciplinary action must be considered and decided based upon the facts of the situation. The degree of disciplinary action considers the following:

- a) The seriousness of the violation and any mitigating circumstance.
- b) Length of employment.
- c) Repeated violation of a particular or closely related rule.
- d) Past disciplinary action.
- e) Consistency (i.e., other employees have not been allowed to violate this rule without proper disciplinary action being taken).

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2. Supervisors will recommend to the Coroner what discipline, if any, is imposed in any circumstance. What factors are considered and the weight that is given to them in any particular situation is determined by the Coroner.

3. All disciplinary actions should be supported by documentation of the facts in each situation.

4. The method or measure of discipline will vary, depending upon the circumstances of each situation. The following are examples of various types of discipline which might be imposed.

- a) Verbal Warning.
- b) Written Warning - The written warning should outline the employee's deficiency, the required improvement, and the time expected to affect such improvement. The Disciplinary Report form should be completed, discussed, and signed by the employee and supervisor. The form shall be kept in the Coroner's Office personnel file and a copy of the form may be forwarded to the County's Human Resources Department (County HR) for inclusion in the employee's County level personnel file. The employee shall be given a copy of the warning.
- c) Suspension - Suspension is the temporary removal of an employee from their position without pay. Such suspension shall not usually exceed ten workdays. Accrued sick or annual leave may not be used during a suspension without pay. The suspension notice shall be in writing on the Disciplinary Report form and shall indicate the reasons for the action, the length of the suspension, the date to return to work, and the expectations for the employee upon returning to work. The employee and the supervisor must sign the form, and a copy of the form will be provided to the employee. The form shall be kept in the Coroner's Office personnel file and a copy of the form may be forwarded to the County's Human Resources Department (County HR) for inclusion in the employee's County level personnel file.

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- d) Administrative Leave - Under limited circumstances, an employee may be reassigned to other duties or placed on administrative leave with pay for a prescribed time, which normally shall not exceed 30 calendar days. This allows for immediate response to a suspected but not fully substantiated offense and a period in which an investigation can be thoroughly pursued. The employee and the supervisor, or Coroner must sign the Disciplinary Report form which provides notice of administrative leave. A copy shall be provided to the employee. Appropriate paperwork (including a copy of the Disciplinary Report form) shall be kept in the employee's personnel file at the Coroner's Office and a copy may be sent to the Human Resources Department for implementation of administrative leave and placement in the employee's County HR personnel file.
- e) Disciplinary Probation - In addition to the above actions, an employee may be placed on disciplinary probation. If appropriate, the disciplinary probationary period may be extended. The employee shall be informed as to the corrective actions which are expected within this period. The employee and the supervisor, or Coroner must sign the Disciplinary Report form which provides notice of disciplinary probation. The form shall be kept in the Coroner's Office personnel file and a copy of the form may be forwarded to the County's Human Resources Department (County HR) for inclusion in the employee's County level personnel file. Any further infraction during this period may result in immediate termination.
- f) Termination - Termination is the removal of the employee from employment with for the Coroner's Office for misconduct or unsatisfactory performance and is at the sole discretion of the Coroner. Appropriate paperwork shall be submitted to the County Human Resources Department for action and placement in the employee's file and filed in the Coroner's Office personnel file.

5. It is not possible to list all acts and omissions which may result in disciplinary

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action. The disciplinary action that is appropriate for any particular misconduct depends upon the items listed above. The following list is merely a guideline providing examples of some of the more obvious types of misconduct and the probable disciplinary action which may result. Any disciplinary action is at the sole discretion of the Coroner.

6. Offenses that may result in disciplinary action include, but are not limited to the following:

a) General Offenses

- a. Horseplay and rumor-mongering.
- b. Abusive and vulgar language.
- c. Failure to maintain satisfactory job performance or harmonious working relationships with co-workers, management, and the general public.
- d. Excessive use of time conducting personal business while on duty, including use of the telephone for personal matters.
- e. Reading books, magazines, or other materials not pertaining to work while on duty.
- f. Inappropriate use of computers, e-mail functions, or other technological equipment as listed in the County's Technology Usage Procedures.
- g. Non-exempt employee working unapproved overtime.
- h. Abusing break and meal period privileges.

b) Serious Offenses

- a. Unexcused or unauthorized absence and excessive absenteeism; failure to contact supervisor in a timely manner to explain the absence.
- b. Excessive tardiness.
- c. Violation of any policies/procedures that reference possible disciplinary action (e.g., no-smoking policy, emergency availability).

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c) Extremely Serious Offenses

- a. Violation of safety rules or practices or causing injury to another employee or engaging in any conduct which tends to create a safety hazard.
- b. Lying, cheating, stealing, or unethical conduct.
- c. Disorderly conduct (such as fighting, threatening, or attempting to inflict bodily injury to another person).
- d. Discrimination or harassment against any applicant or employee because of race, color, religion, sex, age, national origin, veteran status, marital status, sexual orientation, gender identity, genetic information, or disability status; failure to take action or to report harassment when it occurs.
- e. Any coercive behavior used in an attempt to control, intimidate, offend, influence, or affect the salary, career, or job of an employee.
- f. Conviction of, a plea of guilty to, or plea of nolo contendere to a charge of theft, violation of drug laws, or sexual misconduct or to an offense which affects the Coroner's Office reputation, or which reasonably disrupts the public trust.
- g. Failure or refusal to carry out orders, work assignments, or instructions; showing disrespect or threatening a supervisor.
- h. Reporting for duty or being on duty under the influence of intoxicants or narcotics. For the purpose of this policy, "under the influence" is defined as any condition which through one's actions or appearance including the presence of odor affects the ability to perform assigned duties, imposes a danger to self and others, or presents an unfavorable image of self or the Coroner's Office.
- i. Consumption of intoxicants while on duty/working hours or work site or on or in County-owned or leased property or vehicle; consumption of illegal narcotics at any time; any violation of drug or alcohol policies or laws.

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- j. Acceptance of improper gratuities or using one's position of public employment to gain personal advantage.
- k. Falsifying attendance or time records for oneself or another employee; making false statements on job-related matters; falsification of an application or any other information relating to qualifications for employment; falsifying or inappropriately deleting any Coroner's Office or County records.
- l. Misuse of Coroner or County funds.
- m. Use of County or Coroner's Office property or information for personal reasons, except where specifically authorized; unauthorized possession, use, or removal of County or Coroner's Office property or the property of others.
- n. Reprisal action or retaliation against any employee because of participation in an appeal, grievance case, investigation, or serving as a witness.
- o. Actions or performance on the job which severely and/or continuously interferes with the ability of the work unit to perform the normal tasks of the department/office.
- p. Failure to maintain necessary professional license, certification, or other job requirements.
- q. Any conduct, on or off County or Coroner's Office premises, which affects the Coroner's Office or Charleston County's reputation or which reasonably disrupts public trust.
- r. Refusal to sign disciplinary or counseling notice.