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Applicability: All SCDDSN State Employees with Permanent Status

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PURPOSE

This directive establishes guidelines for disciplinary action to be taken for various types of work deficiencies and undesirable personal conduct. It is the purpose of this directive and the procedures outlined herein to promote an understanding of what are considered unacceptable offenses, and to encourage consistent action when applying disciplinary measures. This policy does not apply to employees who are considered to be “probationary employees” as defined in S.C. Code of Laws § 8-17-320. Disciplinary actions in response to performance deficiencies and conduct violations by probationary employees are subject to management’s discretion. All supervisors are reminded to be consistent in the application of their disciplinary actions.

POLICY

The South Carolina Department of Disabilities and Special Needs (SCDDSN) seeks to establish and maintain appropriate administrative procedures, rules and regulations which will provide the most efficient and effective agency operation. It is the policy of this department to administer disciplinary measures in a fair and consistent manner; and it is the obligation of all employees to conform to the procedures, rules and regulations applicable to their duty assignment.

COORDINATION OF DISCIPLINARY ACTIONS

The District Human Resources (HR) Director is responsible to the Facility Administrator for coordination of all disciplinary actions, and will assist with the wording of reprimands, warnings, and letters, etc.

Employees who are being investigated for alleged disciplinary infractions will be placed on leave without pay by the District HR Director pending the outcome of the investigation. If the allegations are not substantiated, the employee will be reinstated with back pay. Notification of suspension, demotion and dismissal will be signed by the District HR Director. All disciplinary actions more severe than a written reprimand will be forwarded from the supervisor to the District HR Director for coordination with the SCDDSN Agency HR Director prior to forwarding to the employee. Suspension for FLSA "exempt" employees will require verbal approval of the Agency HR Director. All suspensions without pay shall be effective on approval of the action, with the days of suspension being consecutive.

GUIDELINES

For a minor conduct violation, an employee should be orally admonished (oral reprimand). A record of this action, the "Report of Counseling Conference," (sample attached) should be maintained by the supervisor and is made a permanent part of the employee's personnel record. Repetitions of the offense may be followed by a written reprimand, suspension without pay, dismissal, transfer, demotion or other appropriate action. For a serious offense such as consumer abuse, an employee will be dismissed.

The attached "Guidelines for Employee Progressive Disciplinary Action" is to be used as a guidance tool and is not intended to be all-inclusive. Management is not bound by the list. It should be realized that it is most difficult to assign a degree of severity to many of the examples given. Disciplinary actions are subject to management's discretion. It should be emphasized that in some situations, dismissal may be appropriate on the first offense depending on the severity of the action and the circumstances involved - even for a first offense occurrence.

Violations are not restricted to the examples listed. In all cases the supervisor must rely on his/her judgment and experience in arriving at the appropriate disciplinary action to be taken after the particular circumstances of a case have been considered.

This directive establishes departmental policy and supersedes facility policies which are in conflict with the above.

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(Approved)

ATTACHMENTS

A: GUIDELINES FOR EMPLOYEE PROGRESS DISCIPLINARY ACTION