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South Carolina State Library Progressive Discipline Policy

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SECTION A: GENERAL

A review of the progressive discipline procedures should be maintained to ensure that all supervisors are being consistent in taking disciplinary action against employees involved in similar situations and that employees are aware of the disciplinary actions. Consequently, each supervisor and employee will be given a copy of the policy. This progressive discipline policy does not apply to probationary employees who may be disciplined at the agency's discretion.

Disciplinary problems should be handled by one or more of the following actions, but not necessarily in this order:

1. Informal Counseling
2. Oral Reprimand
3. Written Reprimand
4. Reassignment
5. Demotion
6. Suspension
7. Termination

The appropriate discipline for any incident of misconduct is a matter for the Agency's management to determine in light of all surrounding circumstances. Human Resources will coordinate with management as necessary in administering disciplinary action.

Disciplinary actions beyond an oral reprimand must be approved in advance by the Human Resources department. When misconduct does not result in immediate termination, an employee should be given notice that continued improper conduct could result in dismissal.

The original of all disciplinary actions above oral reprimands should be transmitted to Human Resources for inclusion in the employee's official personnel file in Human Resources.

SECTION B: GUIDELINES

The circumstances surrounding an offense, such as the severity of the misconduct, the number of times it has occurred and any previous counseling, will suggest what action should be taken. Usually, counseling or an oral reprimand is sufficient for the first occurrence of a minor offense. A record of this action with the employee's and the supervisor's signatures should be placed in the employee's personnel file. A repetition of the offense or the first occurrence of a more severe offense should be followed by a written reprimand which becomes a part of the employee's permanent personnel file (which should also be signed by the employee as having been received and understood). Further repetitions of the offense or the first occurrence of a very serious offense is followed by suspension, reassignment, demotion, termination or other appropriate action. Please note that these are intended only to be guidelines because it is most difficult to be all-inclusive or to assign a degree of severity to the various examples given below. For example, "leaving the work station without authorization" may range from a temporary absence from the workstation to complete abandonment of a position. In such case, a manager must rely on judgment as an experienced administrator to arrive at appropriate disciplinary action. At management's discretion, individual offenses calling for oral or written reprimands could cumulatively result in suspension or termination.

SECTION C: VOLUNTARY RESIGNATIONS AND PERFORMANCE ISSUES

Employees who voluntarily fail to report to work for three consecutive workdays and fail to contact the agency during this time period will be considered to have voluntarily resigned. All performance related problems should be addressed by the guidelines established in the Employee Performance Management System.

SECTION D: DISCIPLINARY ACTIONS

No disciplinary actions beyond a written reprimand may be taken without being authorized by the Agency Director or a designee. Division Directors and Unit Managers may recommend appropriate discipline. The following steps shall be followed in such cases when discipline beyond the written reprimand is necessary.

1. The supervisor presents all facts surrounding the incident to the Unit Manager, or in the cases where the Unit Manager is initiating the action, he/she presents the facts to the Division Director with a recommendation for discipline.

2. If the Division Director agrees with the recommendation, the matter is next discussed with the Human Resources Officer and the Agency Director or a designee.
3. If action is to be taken, it shall be taken under the authority and signature of the Agency Director or a designee with the supervisor initiating such action.

Table of Offenses and Actions

Offense	Range of Disciplinary Actions	Reference
Unauthorized Leave	Written Reprimand to Termination	
Habitual Tardiness or Failure to Observe Assigned Work Hours	Oral Reprimand to Termination	
Abuse of Leave	Oral Reprimand to Termination	<i>Refer to Family and Medical Leave Act and Americans With Disabilities Act</i>
Excessive Absenteeism	For employees who become unreliable because of frequent absenteeism, even if for sufficient reasons. Termination should be preceded by counseling to inform the employee of the problem.	<i>Refer to Family and Medical Leave Act and Americans With Disabilities Act</i>
Leaving Work Station without Authorization	Oral Reprimand to Termination	
Reporting to Work Under the Influence of Alcohol	Suspension to Termination	<i>Section 8-11-110 of the SC Code of Laws; Act on Alcoholism</i>
Drinking Alcoholic Beverages on the Job	Termination	<i>Section 8-11-110 of the SC Code of Laws; Act on Alcoholism</i>
Reporting to Work Under the Influence of Drugs	Suspension to Termination	
Possessing or Using Illegal Drugs on the Job	Termination	
Insubordination	Oral Reprimand to Termination	

Offense	Range of Disciplinary Actions	Reference
Falsification of Records or Documents	Suspension to Termination	
Stealing	Termination	
Negligence	Oral Reprimand to Termination	
Willful Violation of Written Rules, Regulations or Written Policies	Oral Reprimand to Termination	
Unauthorized Use of State Equipment or Property	Oral Reprimand to Termination	
Destruction or Written Misuse of Property or Equipment	Suspension to Termination	
Unauthorized Solicitation or Sales on State Premises	Suspension to Termination	
Unauthorized Possession of Firearms on the Job	Termination	
Unauthorized Distribution of Written or Printed Material of Any Kind	Written Reprimand to Termination	
Sleeping While on Duty	Written Reprimand to Termination	
Horseplay	Oral Reprimand to Termination	
Malicious Use of Profane/Abusive Language to Others	Oral Reprimand to Termination	
Loafing	Oral Reprimand to Termination	
Interference With Other Employee's Work	Oral Reprimand to Termination	
Working on Personal Jobs During Work Hours	Oral Reprimand to Termination	

Offense	Range of Disciplinary Actions	Reference
Excessive Use of Telephone for Personal Matters	Oral Reprimand to Termination	
Defacing State Property	Written Reprimand to Termination	
Sexual Harassment	Written Reprimand to Termination	<i>Refer to Anti-Harassment Policy</i>
Conviction of up to a felony	Termination	
Conviction of a misdemeanor which adversely reflects on an individual's suitability for continued employment	Termination	
Discourteous treatment of visitors and/or customers	Oral Reprimand to Termination	
Failure to maintain satisfactory or harmonious working relationships with employees or supervisors	Oral Reprimand to Termination	
Improper conduct or conduct unbecoming a state employee	Written Reprimand to Termination	
Willful false statements to a supervisor	Suspension to Termination	
Workplace Violence	Termination	<i>Refer to Workplace Violence Policy</i>

The above indicated range of disciplinary actions in response to specific offenses is to be used as a guide and is not intended to be all-inclusive. At the occurrence of any of the listed offenses, or any that are not listed, the appropriate discipline shall be determined after the particular circumstances of the case have been carefully considered. The state and federal laws referenced above are not all-inclusive in administering discipline.

EMPLOYEE COMMENTS

The employee may attach additional comments to any disciplinary action, if desired, within two weeks from the date of the disciplinary action.

WORKPLACE VIOLENCE

Section 7, Chapter 1, Title 1 of the 1976 Code of Laws, Article 21, Workplace Domestic Violence Policy (Section 1-1-1410) requires every state agency to develop and implement an agency workplace domestic violence policy and adopt a "zero tolerance" approach to the act or threat of violence of any kind. If employees engage in any violence in the workplace, or threaten violence in the workplace, their employment will be terminated immediately for cause. The "zero tolerance" approach must be applied to all forms of workplace violence. These include, but are not limited to:

- Physical-the use of force in order to harm;
- Threats-expressions of intent to inflict injury;
- Harassment-words, gestures, and actions which tend to annoy, alarm, or abuse another person;
- Property damage-intentional damage to property owned by the state, employees, visitors, or vendors; and
- Domestic-physical harm or injury or an offer or attempt to cause physical harm or injury by a household member.

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