
Butte County Mosquito and Vector Control District

POLICY MANUAL

POLICY TITLE: Disciplinary Action
POLICY NUMBER: 7260

7260.1 The following measures are part of the disciplinary process: warning, counseling, reprimand, suspension with or without pay, dismissal, demotion, or reduction in pay. The District Manager may discipline any employee for cause.

7260.2 Grounds for Discipline including, but not limited to:

7260.2.1 Discourteous treatment of the public or fellow employees.

7260.2.2 Drinking of intoxicating beverages or use of illegal or nonprescribed drugs on the job, or arriving on the job under the influence of such beverages or drugs.

7260.2.3 Habitual absence or tardiness.

7260.2.4 Abuse of sick leave (descriptions and definitions within Section 7040.11).

7260.2.5 Disorderly conduct.

7260.2.6 Incompetence, inefficiency, unsatisfactory performance.

7260.2.7 Being wasteful of material, property, or working time.

7260.2.8 Violation of any lawful or reasonable regulation or order made and given by an employee's supervisor; Insubordination, including but not limited to failure or refusal to obey the orders and/or instructions of a supervisor or a member of management, or the use of abusive or threatening language toward a supervisor or member of management.

7260.2.9 Neglect of duty.

7260.2.10 Dishonesty.

7260.2.11 Misuse of District or others property.

7260.2.12 Willful disobedience and/or insubordination.

7260.2.13 Conduct unbecoming a District employee.

7260.2.14 Falsifying employment records, employment information, or other District records.

7260.2.15 Theft and deliberate or careless damage or destruction of any District property, or the property of any employee or any member of the public.

7260.2.16 Removing or borrowing District property without prior authorization.

7260.2.17 Provoking a fight or fighting during working hours or on District property.

7260.2.18 Any breach of Policy 7265.

7260.2.19 Failing to observe working schedules, including rest and lunch periods.

7260.2.20 Failing to provide a physician's certificate when requested or required to do so.

7260.2.21 Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working.

7260.2.22 Violating any safety, health, security or District policy, rule, or procedure.

7260.2.23 Committing of or involvement in any act of unlawful harassment of another individual.

7260.2.24 Failing to promptly report work-related injury, illness, and/or accident.

7260.2.25 Absence without notification.

7260.2.26 Loss of license, certification, or other qualification which is necessary for an employee to perform the duties of his/her position.

7260.2.27 Any conduct which adversely affects the operation of the District, the health and welfare of District employees or the safety of District property; and conduct unbecoming an employee in public service, tending to bring discredit to the District.

7260.2.28 Failure to comply with District policies.

7260.2.29 In addition to the requirements of District Policy 7260, Section 7260.2, subsections 7260.2.8 and/or 7260.2.22, the failure, when handling pesticides - as defined in the California Code of Regulations, Title 3 (3 CCR), section 6000, to use personal protective equipment (PPE) or other safety equipment as required by 3 CCR section 6702(c) or a pesticide product's labeling. In applying this standard, it is understood that the required PPE and other safety equipment has been provided by the District at the work site in a condition that will provide the safety or protection intended by the equipment.

7260.3 All disciplinary action will be accompanied by a letter of warning to the employee stating the reasons and grounds for such discipline. The employee must acknowledge receipt of the warning by signing the letter at the time of presentation; this signature signifies only receipt of the document, not necessarily agreement to the contents. The employee may, before the conclusion of the next regular working day, respond in writing to the contents of the letter of warning.

7260.4 All negative evaluations or letters of warning shall remain part of the employee's personnel file. Negative evaluation shall not be used by the District Manager in decisions to dismiss if the performance has improved or the action which merited a warning has not recurred, each/both for a period of at least one year.

7260.5 Any disciplinary action which may result in suspension without pay shall be set forth in writing to the employee at least five working days before the proposed effective date or dates. This notice shall be prepared by the District Manager after consultation with the District Legal Counsel and shall contain the following:

7260.5.1 A description of the proposed action and its effective date or dates, and the ordinance, regulation, or rule violated;

7260.5.2 A statement of the acts or omissions upon which the action is based;

7260.5.3 A statement that a copy of the materials upon which the action is based is attached or available for inspection upon request;

7260.5.4 A statement advising the employee of the right to appeal as provided in Section 7110.5 and 7110.6 of Policy #7110, "Dismissal of Regular Employees";

7260.5.5 A date by which time the employee must respond in writing if he/she wishes to contest the action.

7260.6 All notices of proposed action shall be personally served or mailed by certified mail, return receipt requested, to the last known address of the employee.