

DISCIPLINARY POLICY

In all organizations, there must be standards to which each person should adhere. All rules and performance standards are consistent with our desire to provide a safe and productive work environment to promote the success of our business and to protect the interests of our customers. We expect you to continue to provide our customers with a professional, service-oriented, and pleasant environment in which to conduct their business.

When unsatisfactory performance has been noted by a supervisor, the employee may be placed on a performance improvement program. The purpose of this program, which may include a limited review period, is to increase the quantity and quality of contact between the employee and the supervisor and to improve performance to the desired level. At any point during a performance improvement program, management may take appropriate action regarding job assignment or termination.

Violation of any OBPA work rule may result in disciplinary action, up to and including discharge from employment. While we are committed to the practice of corrective discipline, we reserve the right to take whatever disciplinary action is appropriate under the circumstances. We hope that with training, reinforcement, and communication the following disciplinary procedure will not be necessary.

Except that no notice need be given to any employee before he/she is discharged if the cause of such discharge is dishonesty, or being under the influence of non-prescribed drugs or illegal substances, or possession for selling of non-prescribed drugs or illegal substances, or unprovoked physical abuse or bodily harm to another employee of the OBPA during working hours or on duty, business or property, or in OBPA equipment or on OBPA premises or on OBPA time. The above are illustrative of intolerable offenses.

Nothing in this policy is intended to negate any established at-will employee relationship.

Procedures.

When it is determined that a **minor offense** has been committed, an employee may be provided with a series of progressive verbal or written warnings. Minor offenses are classified as those which do not cause serious problems but do result in waste of time or material and affect quality of service or productivity.

When it is determined that a **major offense** has been committed, an employee may be provided with a final warning. Major offenses seriously affect customer relations, security, or a supervisor's ability to direct a workforce. A major offense may result in immediate dismissal or the issuance of a final warning to the employee.

An **intolerable offense** is one which places great strain on the employment relationship. **Offenses of this magnitude normally will result in immediate suspension with termination dependent upon a due process hearing.**

Behaviors:

Types of behavior and conduct that the OBPA considers inappropriate include, but are not limited to, the following:

- Insufficient quality or quantity of work
- Gross violation of safety procedures
- Unreported on-the-job injury
- Extended breaks
- Misuse of OBPA property
- Failure to cooperate with others
- Excessive absenteeism/tardiness
- Violation of smoking/solicitation/appearance rules
- Excessive, wasteful, or destructive use of OBPA supplies or property
- Security violations
- Insubordination towards supervisor/customer
- Falsification of OBPA records
- Violation of the Code of Ethics or Equal Employment Opportunity Policy
- Gross negligence
- Possession of weapons, narcotics, illegal substances, controlled substances without prescription, or alcohol on OBPA property

- Reporting to work intoxicated or under the influence of drugs or alcohol
- Theft
- Fighting or using obscene, abusive, or threatening language or gestures
- Breach of confidentiality
- Falsification of I-9 and employment application information
- Fraudulent statements
- Violation of the OBPA's Internet/E-Mail Policy

While the above is intended to be used as a guideline, it in no way eliminates the right to discharge an employee at any time for any reason.

Steps in the Due Process:

All non-probationary employees will be given an opportunity for a hearing in accordance with OBPA disciplinary policy before he/she is deprived of any significant property interest up to and including the employee's protected property interest in his/her employment.

OBPA disciplinary policy satisfies due process as reasonable notice of the charges and a reasonable opportunity to respond are provided to the employee as outlined below. OBPA will not make a final decision until the employee has had a chance to respond. Probationary employees are not entitled to due process in accordance with the OBPA disciplinary policy.

The OBPA's Executive Director, in conjunction with Management level staff, shall administer OBPA disciplinary policy. Termination authority is reserved solely for the OBPA Board of Directors in accordance with the recommendation of the Executive Director.

Whenever a personnel problem occurs with respect to unsatisfactory performance, attendance, or any other matter affecting the orderly execution of job requirements, the supervisor is expected to deal with the situation promptly, constructively, and in a tactful manner. Avoiding or putting off needed action constitutes neglect of responsibility, and undermines OBPA's effectiveness.

The first step in the process is to meet with the OBPA Human Resource Manager and to meet with the employee to discuss the performance problem and come to agreement on the steps necessary to attain a satisfactory level of performance. Depending on the severity of the problem, this may or may not be documented in writing.

- Written reports should contain the following information:
 1. The nature of the problem
 2. How it is to be corrected.
 3. A time frame during which it should be corrected.
 4. Subsequent steps to be taken if the supervisor's expectations are not met.
- Should be signed by the employee and the supervisor/manager
- Should be forwarded to OBPA Human Resources to be retained in the employee's personnel file.

If the employee's performance does not improve to the desired level, it will be necessary to make subsequent warnings and penalties more severe per the OBPA Progressive Discipline Policy to the point of termination.

Progressive Discipline:

The approach to matters requiring **minor offenses** will consist of the following:

<u>Offense</u>	<u>Action</u>	<u>Penalty</u>
1 st	Verbal Reminder	None
2 nd *	Documented verbal warning	None
3 rd **	Written warning	Final written warning
4 th **	Final Warning	-----
5 th **	Written notice	Discharge

* Consultation with OBPA Human Resources Recommended
 ** Requires approval of supervisor, Human Resources, Executive Director

In the case of major offenses, the fourth step in the discipline process shall be the starting point of the progressive discipline system. Intolerable offenses may lead to immediate discharge.

Should a case arise where proper authorization for discharge is not available, the supervisor should suspend the employee indefinitely with pay pending decision to discharge. No employee should be discharged without proper approval.