

Progressive Discipline

The Library endeavors at all times to ensure fair treatment of all employees and to make certain that disciplinary actions are prompt, uniform, and impartial. The purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Progressive discipline is a method often used by managers or supervisors to provide notice to employees who are not meeting job performance standards, not behaving appropriately at work, or are not following policies or procedures. Progressive disciplinary action may call for any of four steps, depending on the severity of the problem and number of occurrences, though there may be some circumstances when one or more steps are bypassed. The normal progressive stems in the process should include:

- An oral warning or counseling
- A written warning or counseling
- A major written warning (which may include suspension with or without pay) along with a written performance improvement plan
- Discharge/dismissal

The Library recognizes that certain types of employee problems are serious enough to justify either suspension or, in extreme circumstances, termination of employment, without going through each of the above usual progressive discipline steps.

The following is a non-comprehensive list of employee issues that might be subject to progressive discipline:

- Not meeting job requirements
- Not meeting deadlines
- Poor quality of work
- Insufficient quantity of work
- Excessive absences
- Excessive tardiness
- Intentional abuse of company property
- Insubordination
- Theft
- Arguing/fighting with coworkers
- Throwing objects
- Sleeping on the job
- Harassment or violence
- Substance abuse
- Unauthorized disclosure of confidential information
- Threatening behavior

As stated in Article 23 of the contract between the Library and the union:

The Library may impose discipline, short of dismissal against a member of the bargaining unit in accordance with his or her rights under the provisions of Section 75 of the New York State Civil Service Law. Discipline under Section 75 will not be subject to the grievance procedure.

In cases of dismissal, a unit member who has completed his or her probationary period will have two options:

1. Rights as provided for under Section 75 of the New York State Civil Service law, or:
2. Rights to just cause arbitration under the terms of this Agreement.

If the unit member opts for just cause arbitration, he or she may be suspended without pay until such time as the arbitration procedure is completed. If opting for rights under Section 75, such suspension will be as per the limits provided for under that statute.

Any employee against whom the Library brings charges for which the penalty being sought is dismissal will have eight days in which to make an election as to whether they are invoking rights under Section 75 or just cause arbitration. Failure to make such a determination will result in a waiver of rights to just cause arbitration.

In the event the employee and/or CSEA elects a just cause arbitration, CSEA shall, on behalf of the employee if the matter is deemed to have merit, file a Demand for Arbitration pursuant to the Voluntary Grievance Arbitration Rules of the New York State Public Employment Relations Board within ten (10) working days of service of the Election. Failure to timely file a Demand for Arbitration will result in a waiver of an employee's right to just cause arbitration.

Revision approved by Board:

Notes: