

Chapter 10: Discipline and Termination

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10.01 Guidelines for Appropriate Conduct

As public employees, we are entrusted with serving the community and are held to high standards of performance to maintain public trust. In pursuit of the City of Toledo's goal of excellence in service, we expect each employee to uphold these standards, contributing to a productive and rewarding workplace.

The following are examples of inappropriate work behavior that may result in disciplinary action, up to and including termination:

1. **Substance Abuse** – Being on the job under the influence of, or in possession of, alcohol, narcotics, other controlled substances, or misuse of prescription drugs.
2. **Dishonesty** – Falsification of records, making false claims on City funds, or other acts of dishonesty.
3. **Insubordination** – Failure to carry out lawful work-related instructions given by a supervisor, or other disrespectful conduct.
4. **Harassment** – Engaging in sexual harassment or other unlawful harassment of another employee, member of the public, vendors, or contractors.
5. **Attendance Issues** – Excessive or unexcused absences or tardiness; failure to report absence or tardiness.
6. **Violence** – Fighting, threatening violence, or causing disharmony in the workplace.
7. **Acceptance of Improper Benefits** – Acceptance of fees, gratuities, or other valuable items in the performance of official duties, in violation of RCW 42.52.150.
8. **Policy Violations** – Violation of duties or rules outlined in these personnel policies, or any other City rule or administrative order.
9. **Theft** – Theft or inappropriate removal of property.
10. **Disruptive Behavior** – Boisterous or disruptive activity in the workplace.
11. **Negligence** – Negligence or improper conduct leading to damage of property.
12. **Safety Violations** – Violation of safety rules or endangerment of the safety of oneself, co-workers, or the public.
13. **Unauthorized Possessions** – Possession of dangerous or unauthorized materials in the workplace.
14. **Confidentiality Breach** – Unauthorized disclosure of confidential information, in violation of RCW 42.52.050.
15. **Failure to Report Incidents** – Failure to immediately report to a supervisor any accident or injury that occurs on the job.
16. **Misuse of City Resources** – Misuse of the City's communication systems, including email, computers, internet access, cellphones, or other City equipment and vehicles, contrary to RCW 42.52.160.

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As public employees we are responsible to the public and held to a high standard of performance to maintain the public trust. In pursuing City of Toledo Goal of Excellence in City of Toledo service, we expect excellence from each of our employees while striving to make this an enjoyable and a rewarding place to work.¶

¶ The following are examples of inappropriate work behavior that may result in discipline up to and including termination:¶

Being on the job in possession of, distribution, sale, transfer or use of alcohol, narcotics, other controlled substances, or non-prescribed use of otherwise lawful prescription drugs.¶

Violation of a lawful duty, falsification of records, or making a false claim on City of Toledo funds.¶ Insubordination or other disrespectful conduct; failure to carry out lawful work-related instructions given by supervisor.¶

Sexual harassment or other unlawful harassment of another employee, member of the public, vendors, or contractors.¶

Excessive or unexcused absences or tardiness for any reason; or failure to report absence or tardiness.¶

Fighting or threatening violence in the workplace; causing disharmony in the workplace.¶

Acceptance of fees, gratuities or other valuable items in the performance of the employee's official duties for the City of Toledo.¶

Violation of duties or rules in these personnel policies, or any other City of Toledo rule or administrative order.¶

Theft or inappropriate removal of property.¶

Boisterous or disruptive activity in the workplace.¶

Negligence or improper conduct leading to damage of property.¶

Violation of safety rules or endangerment of the safety of the individual, co-workers, or the public.¶ Possession of dangerous or unauthorized materials in the workplace.¶

Unauthorized disclosure of confidential information.¶

Failure to report immediately to supervisor any accident or injury which occurs on the job.¶

Misuse the City of Toledo's communication systems including email, computers, internet access, cellphones or other City of Toledo equipment, and vehicles.¶

Use of City of Toledo property, position, or time for personal gain.¶

Intentional falsification of any application for employment, any report, timesheets, medical reports, expense accounts, and other City of Toledo records.¶

Loafing or wasting time during regular work hours; sleeping on the job¶

¶ This list contains examples only and is not exhaustive. While the City of Toledo management generally believes in progressive discipline, which calls for appropriate discipline in an appropriate... [1]

17. **Conflict of Interest** – Use of City property, position, or time for personal gain, as prohibited by RCW 42.52.070.
18. **Falsification of Documents** – Intentional falsification of any application for employment, reports, timesheets, medical reports, expense accounts, or other City records.
19. **Time Theft** – Loafing, wasting time during regular work hours, or sleeping on the job.

This list is illustrative and not exhaustive. While the City generally believes in progressive discipline, addressing issues appropriately based on circumstances, it reserves the right to review each situation independently and determine the appropriate disciplinary action, up to and including termination.

Failure to Respond to Supervisor Communications

Clear and timely communication is essential for maintaining an efficient and effective workplace. Employees are expected to respond to emails, messages, or other work-related requests from supervisors **within a reasonable timeframe** during their scheduled work hours.

Failure to acknowledge or respond to supervisor communications without a valid reason may result in **disciplinary action**, as it can disrupt operations, delay projects, and create inefficiencies.

Expectations for Communication

1. **Timely Response** – Employees should acknowledge supervisor emails or requests **within 24 hours** during regular workdays unless on approved leave.
2. **Urgent Matters** – If a supervisor indicates that a matter is urgent, employees are expected to prioritize a response as soon as possible.
3. **Absences & Out-of-Office Notifications** – If an employee is unable to respond due to scheduled leave, illness, or another valid reason, they should notify their supervisor in advance or set up an **out-of-office reply** if applicable.

Examples of Violations

- Repeatedly **ignoring** emails or direct instructions from a supervisor.
- Failing to respond to **urgent work-related requests** without a valid excuse.
- Selectively responding to certain messages while **ignoring others** that require action.

Consequences

Failure to comply with these expectations may be considered **insubordination** and may lead to **progressive disciplinary action**, up to and including termination. The severity of discipline will depend on the impact of the non-response on City operations.

By maintaining open and professional communication, employees contribute to a **cohesive, productive, and efficient** work environment.

10.0 Investigative or Non-Disciplinary Suspension

A supervisor may place an employee on paid suspension pending the outcome of an investigation when it is determined that public confidence, the efficient functioning of the City of Toledo, or the safety of the employee, co-workers, or the public may be at risk due to the employee's continued presence at the work site. The mayor must authorize any paid suspension extending beyond one day.

10.03 Discipline Procedures

The City of Toledo's discipline procedure aims to provide employees with advance notice, whenever possible, of issues related to their conduct or performance, offering them an opportunity to improve. Depending on the seriousness or specific circumstances, discipline may commence at any level, steps may be skipped, and/or certain steps may be repeated as appropriate. The City of Toledo reserves the right to determine that immediate termination is the appropriate initial and sole step. Granting an at-will employee access to the disciplinary procedure does not alter their at-will employment status.

Verbal Counseling – For minor offenses, supervisors will discuss behavior and performance issues with the employee informally. This allows the employee to make necessary changes and potentially avoid formal disciplinary steps.

Written Warning – This formal disciplinary action addresses misconduct, inadequate performance, or repeated minor infractions. Written warnings are placed in the employee's personnel file.

Suspension – A temporary, unpaid absence from duty may be imposed as a penalty for significant misconduct or repeated minor infractions.

Discharge – Termination of employment may occur for a serious offense, when progressive steps do not result in corrected behavior, or when the offense warrants immediate termination.

10.04 Termination

Termination from employment with the City of Toledo may occur for various reasons, including:

- **Resignation** – Voluntary employment termination initiated by the employee.

- **Layoff** – Involuntary employment termination initiated by the City for non-disciplinary reasons, such as lack of work, reorganization, or budgetary restrictions.
- **Medical** – Employment termination due to a medical condition that prevents the employee from performing required duties.
- **Retirement** – Voluntary retirement from active employment status initiated by the employee.
- **Discharge** – Termination for cause or without cause, depending on the employee's status.

Prior to termination, the employee will participate in an exit interview, during which benefits, rights, and responsibilities following termination will be explained.

10.05 Resignation

Employees are expected to provide two (2) weeks' notice of resignation, while executive employees are expected to provide four (4) weeks' notice. Failure to provide appropriate notice may result in ineligibility for rehire.

10.06 Layoff

The City may lay off employees due to budgetary restrictions, reorganization, or lack of work. Employees will be placed on a re-employment list for up to six (6) months.

10.07 Medical Termination

If an employee has a physical or mental impairment that prevents them from performing their duties and reasonable accommodation is not possible, either the employee or the City of Toledo may initiate termination for medical reasons.

10.08 Discharge

An employee may be discharged from City of Toledo employment for:

1. Inability to complete the working trial period.
 2. Failure to correct performance issues after progressive discipline.
 3. Violations of workplace conduct policies.
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10.09 Benefits at Termination

Employee benefits typically cease the day following the termination date. Some benefits may continue until the end of the month per provider contracts. Employees may have options to convert group benefits to individual policies.

10.10 Separation Procedures

Employees must return all City property upon termination, including keys, ID cards, tools, and other City-issued equipment. Employees will receive full pay for accrued vacation and compensatory time upon separation.

10.11 Vehicle Use Policy

Employees operating City vehicles must:

1. Hold a valid Washington State driver's license.
2. Comply with all traffic laws.
3. Use City vehicles only for official purposes.
4. Report accidents and safety concerns.

Traffic infractions, DUI, or reckless driving may result in loss of vehicle privileges and disciplinary action.

10.12 Accident and Infraction Reporting

Employees must report any accident involving a City vehicle immediately to law enforcement and their supervisor. Failure to report violations or accidents may result in disciplinary action.

