

26.1.1 C21 **Men's haircuts shall be neat**, and tapered on the rear and sides so as not to appear disheveled (with or without uniform hat), and in no case shall the hair on the sides of the head be of such length and/or bulk that it exceeds a line perpendicular to the top of the ear. The hair outline shall follow the contour of the ear, and no hair shall fall over the ear or touch the collar, except for the closely cut hair at the back of the neck. Haircuts or hair coloring of a faddish or unnatural nature or appearance will not be permitted.

26.1.1 C22 Men's sideburns shall not be any longer than a point at a right angle to the midpoint of the ear, and shall be squared at the bottom, and trimmed so as not to appear bushy.

26.1.1 C23 Mustaches shall be neat and trimmed, with the ends not to fall below a line horizontal with the corner of the mouth and shall not cover any portion of the upper lip.

26.1.1 C24 The face shall be clean-shaven, except for mustaches.

26.1.1 C25 Female's hair shall be cut and/or worn in a style that appears neat. Sworn uniformed personnel's hair shall be off the collar and not falling below the midpoint of the ear on sides, and the length and/or bulk of the hair shall not interfere with the normal wearing of headgear, nor shall frontal grooming permit the hair to be visible on the forehead when uniform hat is worn. At no time, while in uniform, shall frontal hair grooming fall below the eyebrow line. Haircuts, hairstyles, or hair coloring of a faddish or unnatural appearance are not permitted.

26.1.1 C26 The moderate use of makeup by female employees is permissible for uniform wear; however, heavy use of makeup is unacceptable.

26.1.1 C27 The length of fingernails for sworn uniform personnel shall not exceed one half inch past the tip of the finger or thumb.

26.1.1 C28 **The wearing of jewelry by male and female sworn employees** will be limited to rings, watches and Medical Alert Bracelet, while in uniform. Religious medals, scapulars, other bona fide expressions of religious affiliations, and Medical Alert Tags, may be worn around the neck, provided the item is concealed by either the uniform shirt or an undershirt. Rings will be limited to one ring on one finger on each hand. (Wedding band and engagement ring are considered one.) Female officers may wear earrings, but not more than one earring per ear. Earrings must be modest in appearance and may not impact the employee's safety.

- Except where impractical or when not feasible, or where the identity is obvious, officers shall identify themselves by **displaying the official badge or Police Division identification card**, or both if requested to do so, before taking police action. At the scene of a police incident plain clothes or off-duty officers are to display their ID cards or badges on the outer clothing where it may be visible to the public.

26.1.1 C 29 **Tattoos, Body Art, and Branding**

Employees are not permitted to have visible tattoos, body art or branding while on duty, or while representing the agency. Employees hired prior to February 1, 2007 who have existing visible tattoos, body art or branding are exempt from this policy, however no additional visible tattoos, body art or branding is permitted. The use of bandages or other materials to cover tattoos, body art or branding is prohibited.

Due to the nature of their work sworn personnel, while working in a plainclothes capacity may have visible tattoos if approved by the appropriate bureau commander. Such approval will be made on a case by case basis.

Dress Code - Business Attire

26.1.1 C30 All personnel are expected to dress in proper attire (business casual or conservative business attire) when representing the Dublin Division of Police at meetings or other events unless directed otherwise by policy or unless directed otherwise by a supervisor. If employees are performing an activity such as a property room audit, moving, or cleaning the facility, a supervisor may approve wearing clothing permitted for dress down day.

- **Fridays are approved as a dress down day** for non-uniformed personnel. Employees who do not have meetings, court, or other public events to attend may wear jeans and a t-shirt. Jeans must be in good condition with no holes. T-shirts must be in good condition and free of slogans or language that is distasteful. Racially, sexually, or ethnically oriented language is prohibited from being displayed on a t-shirt. Sleeveless t-shirts or muscle shirts are also prohibited.
- **All sworn personnel not assigned to the patrol section, CIU Investigative unit, or the detective section** shall wear the uniform of the day. While performing administrative tasks business casual attire may be worn (if approved by a supervisor). However, one full uniform of the day must be stored at headquarters should the need arise to perform a uniform function. Administrative personnel may participate in Friday dress down day as long as they have no obligations that would make that type of attire inappropriate.

26.1.1 D Finance Department Reporting Requirements

Each employee of the agency is responsible for submitting time sheets, leave requests, and other appropriate documentation in order to be correctly compensated by the City of Dublin in a timely manner.

26.1.1 D1 It is the policy of the City that time sheets shall be submitted in a timely manner. (Administrative Order 1.5)

26.1.1 D2 Pay records are the employee's responsibility.

26.1.1 D3 Time sheets and supporting documentation must be filed by the Monday following payday.

26.1.1 D4 Leave requests:

Leave requests will be submitted to the employee's immediate supervisor for review and approval. The supervisor will approve or disapprove the request and return it to the employee. If the request is not approved the supervisor will include a reason on the request.

- When employees turn in their time sheets they will attach the appropriate leave requests to the time sheet and forward them to the appropriate clerical personnel.

- The clerical personnel responsible for collecting time sheets will ensure that the Chief of Police has signed each approved leave request before they are forwarded to the City's Finance Department.
- The employee will receive a copy of the approved leave request.
- The specific type of leave identified on the leave request must correspond to the employee's time sheet.
- Any approved leave that the employee does not use must be canceled by the employee originating the leave request, which can be accomplished by writing "cancel" across the top of the leave request and dating the cancellation.
- Cancelled leave requests shall be submitted through the steps outlined above for review.

26.1.1 D5 Time sheets

All time sheets must be turned in to the employee's immediate supervisor for review no later than the Tuesday following the end of a pay period. If the employee will not be working on that Tuesday the employee must submit the time sheet to the supervisor for review at the conclusion of their last work day prior to the end of that pay period.

- The supervisor will review the time sheet for accuracy with regard to overtime. Any court time, including Mayor's Court, Juvenile Court, Grand Jury, Municipal Court, Common Pleas, and/or Federal Court, claimed as overtime must have a copy of the subpoena attached to the time sheet or the overtime will not be authorized.
- Mayor's Court subpoenas must be validated by the Clerk of Courts with a time and date stamp when the employee appears for court. Failure to have a validated subpoena will result in disapproval of that court overtime.
- **Once a supervisor has reviewed and has approved the time sheet** he/she will forward it to the clerk, who will review and collate the time sheets with leave requests. Supervisors must have all time sheets reviewed and submitted to the clerk no later than the Tuesday following payday. If holidays or other unforeseen circumstances change the review and submission schedule the clerk will make employees aware of the changes.

26.1.1 D6 **Employees must have sufficient leave balances** accrued before leave will be approved. (Administrative Order 2.46) Employees must contact the Finance Department if there is any question about a sufficient leave balance.

- **Time from another leave balance** or, if no leave time exists, from the hourly pay rate, will be deducted when the employee has an insufficient balance in any particular leave category.

26.1.1 E Patriotic Courtesies

The following patriotic courtesies will be given to the colors of the United States of America by all sworn members of the Division of Police:

26.1.1 E 1 **Display of the United States flag** at facilities of the Division and by individuals

representing the Division shall be in accordance with the provision of the National Flag Law. The United States flag and the State of Ohio flag shall be of the same size when displayed together, with the United States flag flown above the State flag. The State flag shall be flown so that it does not interfere with any part of the United States flag. The United States flag shall always be placed in position of first honor. The United States flag shall be flown at half staff at the discretion of the President of the United States; on Memorial Day, May 30, from sunrise to noon; when authorized for an officer killed in the line of duty, from the time of death until sunset on the day of the funeral; and on other occasions at the direction of the City Manager or the Chief of Police.

26.1.1 E 2 Employees shall render the appropriate patriotic courtesies to the flag. A uniformed officer at a parade need salute only the United States flag at the head of a parade. When the flag is six paces from the officer, the officer shall face the flag and render a hand salute until the flag is six paces beyond the officer. Other groups of colors that follow may be saluted if the officer's immediate attention to duty is not necessary. During the ceremony of hoisting or lowering the United States flag, those officers present and in uniform shall render the prescribed hand salute. When the National Anthem is played at any ceremony, an officer in uniform, including hat, shall stand at attention, face the United States flag, if present, and render the prescribed hand salute. If there is no United States flag present, the officer shall face the band and render salute. Officers who are in uniform, except for a hat, shall stand at attention. Officers who are in civilian dress and other employees shall stand at attention after removing any hat or other head cover.

26.1.1 F Social Media and Internet Sites

26.1.1F1 The City recognizes and encourages innovative ways to utilize social media to communicate to our customers, enhance our services and provide benefits to the organization. Be thoughtful about how you present yourself in any online social network. The lines between public and private, personal and professional are blurred in online social networks. By virtue of working for the City of Dublin, a public entity, the content you present on any social network must be consistent with the ethics and acceptable behavior of the organization. (Administrative Order 1.23)

26.1.1F2 Employees that create postings or content on other internet sites or that have personal web pages, social media sites and other internet content accessible by the public shall not, without prior approval in writing by the Chief of Police or a Bureau Commander, post or allow to be posted on those sites:

Content that could reasonably be interpreted as expressing the opinion of the Dublin Division of Police. Employees may comment on subjects of general interest provided that, in doing so, the employee does not indicate, suggest or imply the views are that of the agency.

- Images or other depictions of agency uniforms, badges, patches, logos, or marked vehicles on sites or as part of other content that is unprofessional, unbecoming, illegal, or would have an adverse effect upon the agency or its employees.

26.1.1F3 Recordings, videos, images, text, data, documents or other postings of agency activities are permissible provided they are consistent with the agency core values, cannot be reasonably perceived as derogatory or unprofessional by the public and were not obtained during the course of a criminal, traffic or administrative investigation or action.

26.1.1F4 Creation or use of social media accounts, web pages or other internet content to communicate messages about the agency or the City of Dublin must be approved in writing in advance by the Chief of Police, coordinated with Division of Community Relations and adhere to the following guidelines:

- All postings on agency sites, at all times, shall adhere to agency core values and standards of conduct and be professional.
- Agency sites shall be used for official business only.
- Postings may be used to provide information to the public about general crime trends, traffic issues, road closures, missing persons, weather and other emergency information of public interest. Postings may also be used for recruiting, requests for crime tips, job postings, training opportunities and media releases.
- Employees authorized to post to agency sites will be determined by the Chief of Police.

26.1.1F5 The use of images or other depictions of agency uniforms, badges, patches, logos, or marked vehicles to create personal web pages, blogs or other internet content must be approved in writing in advance by the Chief of Police.

26.1.2 COMMENDATION POLICY

The agency has procedures and criteria for recognizing employees, including letters of commendation and awards, as outlined below:

The Awards and Commendations Program is established by the Dublin Division of Police to recognize acts of heroism and/or exceptional service by individuals within the Dublin Division of Police and to promote morale within, and for, the Division of Police.

- **An Awards Committee is established** to be composed of a bureau commander, a sergeant, a corporal, a police officer, and a civilian employee. In addition a representative from the Human Resources Division shall be appointed to the committee in an advisory role, but will not vote on award recognition. Appointments to the awards committee will be made by the Chief of Police.
- Any member of the Dublin Division of Police or any private citizen, may submit a **letter of recommendation for an award or citation** to any member of the Awards Committee. Such letters should contain the nominee's name and a summary of facts concerning the recommendation. The Awards Committee shall review any and all submitted recommendations and approve or disapprove the award. Eligibility for awards and commendations shall include all employees of the Dublin Division of Police, including reserve officers and chaplains. Members of other law enforcement agencies may be recommended and awarded a Dublin Division of Police Award/Commendation for acts of heroism, bravery, valor, or other meritorious acts.

The Dublin Chief of Police shall award all citation bars, medals, certificates, and letters to the honoree entitled to such award. Letters and/or certificates citing meritorious acts shall be placed in and become a permanent part of his/her personnel file. Only one award is

authorized per individual for any one incident regardless of the number, if any, of injuries sustained. Awarded citation bars shall be centered on the winter and summer uniform shirt, above the nameplate, on the right breast, beginning with the highest award received placed closest to the center of the uniform and proceeding outward based on the Order of Precedence. Awards shall be worn with Class A uniforms only.

**Dublin Division of Police Awards
Order of Precedence Class A Uniform**

Medal of Honor
Award of Valor
Life Saving Award
Chief's Award of Excellence
Award of Merit
Award of Achievement
Officer of the Year
Leadership Award
Ace Award
Longevity/Service Award
Fitness Award
Military Service Deployment Award
Military Service Award

AWARDS:

MEDAL OF HONOR: Shall be awarded to any police division employee who voluntarily distinguishes him/herself by displaying extraordinary heroism and/or bravery with minimal risk to innocent parties. The employee must be aware of any imminent threat to his/her personal safety and the actions must be above and beyond the call of duty at the risk of the individual's personal safety. The action must be one that if not done would not reflect negatively on the employee. This may be awarded posthumously.

Officer: medal, red bar, and certificate
Civilian: certificate and plaque

AWARD OF VALOR: Shall be awarded to any member of the Dublin Division of Police who, in the line of duty, is injured or wounded in combat during the apprehension or attempted apprehension of a suspect. The injury must be serious enough to warrant medical treatment and an absence from regular duty for a significant period of time (more than 3 days).

Officer: purple bar and certificate
Civilian: certificate

LIFE SAVING AWARD: Shall be awarded to any member of the Dublin Division of Police whose action prevented the death of any person.

Officer: red/white bar and certificate
Civilian: certificate

CHIEF'S AWARD OF EXCELLENCE: Shall be issued by the Chief of the Dublin Division of Police. The Challenge Coin recognizes the individual employee or team of employees who go Above and Beyond the expected and exemplify the Dublin Division of Police mission of EXCELLENCE in service.

Officer: Excellence Challenge Coin, Blue, Gold, Gold Leaf & Star Bar, certificate

Civilian: Excellence Challenge Coin, certificate

The EXCELLENCE Challenge Coin will be issued at the sole discretion of the Chief of Police.

AWARD OF MERIT: Shall be awarded for exceptional service to the community or the Dublin Division of Police under; adverse conditions or while performing acts involving personal danger in the line of duty.

Officer: yellow bar and certificate.

Civilian: certificate

AWARD OF ACHIEVEMENT: Shall be awarded for exceptional service to the community or the Dublin Division of Police. Such service may include but not be limited to significantly enhancing the efficiency of the Division or significantly exceeding the expectations in the area of service to the community.

Officer: Yellow & White Bar, certificate

Civilian: certificate

EMPLOYEE OF THE YEAR: Shall be awarded annually to one sworn and one civilian employee for their contributions to the agency and/or community as well as for their overall performance in their current assignment.

Officer: Green, Red, White & Red Star Bar, certificate, and plaque

Civilian: certificate and plaque

Employee of the year award recipient's names will be recognized on a plaque which shall be displayed for public view.

LEADERSHIP AWARD: May be awarded annually to a member of the Dublin Division of Police for demonstrating exceptional leadership in the agency.

Officer: black/red bar; certificate

Civilian: certificate

VOLUNTEER OF THE YEAR AWARD: May be awarded annually to a police volunteer of the Dublin Division of Police for their contributions to the agency and/or community as well as for their overall performance as a volunteer.

Volunteer of the year award recipient's names will be recognized on a plaque which shall be displayed for public view.

ACE AWARD: Shall be awarded to any Dublin Police Officer who recovers three (3) officially stolen vehicles and makes at least one apprehension from the recovery of each vehicle within one calendar year (Jan. 1 to Dec. 31).

Officer: blue/silver bar and certificate

SERVICE AWARD: Shall be issued to any member of the Dublin Division of Police who completes the required number of years of consecutive service. After two (2) years of consecutive service, a member shall be awarded a citation bar. Members shall be eligible for the Service Award for their service with the Dublin Division of Police retroactive to their original date of hiring. Service time shall only be interrupted by unpaid leaves of absence over thirty-one (31) days.

Officer: blue bar; Replacement bar with star(s) awarded in 5-year increments
Civilian: certificate

LONGEVITY SERVICE AWARD: Shall be awarded to any member of the Dublin Division of Police who completes twenty (20) years of consecutive service. Members shall be eligible for the Longevity Service Award retroactive to their original date of hiring.

Officer: green/white bar; Replacement bar issued for 25 and 30 years of service with the number of years displayed on the bar.
Civilian: plaque

FITNESS AWARD: Shall be awarded to any member of the Dublin Division of Police who achieves the fitness standards of the agency's Physical Fitness program. The employee's fitness level will be tested at regular intervals established by the program.

Officer: blue/red bar, blue/red bar with runner, blue/red bar with runner and two stars
Civilian: certificate

MILITARY SERVICE DEPLOYMENT AWARD: Shall be awarded to any member of the Division of Police who is summoned to serve in the armed forces of the United States in direct response to an occurrence of national emergency, war or military action, and that occurs during their tenure with the Division. A separate award may be granted for each call to duty.

Officer: red/white/blue bar and certificate
Civilian: certificate

MILITARY SERVICE AWARD: Shall be awarded to any member of the Division of Police who has served as a member of the **United States Military** as a recognition of their service and personal accomplishments while a member United States Armed Forces.

Officer: red/white/blue bar (eagle) and certificate
Civilian: Certificate

CERTIFICATE OF MERIT: Shall be awarded to any member of the Dublin Division of Police who performs an action or actions not otherwise covered in the awards program. Such action must exhibit outstanding diligence, perseverance, alertness, or highly credible accomplishment.

Officer: certificate
Civilian: certificate

EXCEPTIONAL ATTENDANCE: Shall be awarded to any member of the police division who completes a calendar year (Jan. 1 to Dec. 31) without using any sick leave.

Officer or Civilian: certificate

Awards (including pins, medals, and bars) presented to officers by other agencies or organizations may be worn with the approval of the Chief of Police.

- **Agencies such as the Ohio Peace Officer Training Council** and The Ohio Safety Belt Network Inc. have award programs, which include ribbons which may be worn by an officer.

Commendations:

Any member of the Division, any City employee or any member of the public may recommend that an employee receive a written commendation. Recommendations from the public, City employees or other members of the Division should be forwarded to the employee's immediate supervisor.

- Any supervisor with this agency may issue a written commendation to an employee who is of the same, or lesser rank.

Written commendations issued to employees shall be included in the semi-annual and annual report. Copies of these written commendations are forwarded to the Chief of Police, the appropriate Bureau Commander, the commended employee, and the employee's immediate supervisor.

- The employee's immediate supervisor shall ensure a copy of the written commendation and, if applicable, commentary concerning the commendation, is placed in the employee's personnel file. He/she shall also ensure a copy of the written commendation and, if applicable, commentary concerning the commendation, is placed in the employee's evaluation file.

A supervisor with this agency may also choose to **issue an informal commendation**. If the employee's immediate supervisor receives a note, verbal recommendation or other message that may not warrant a written commendation he/she may make note of the communication and a copy of the message or notation shall be forwarded to the employee.

- The employee's immediate supervisor shall ensure a notation of the informal commendation is placed in the employee's evaluation file.

26.1.3 HARASSMENT POLICY

The City of Dublin Division of Police does not condone, nor tolerate, any form of harassment, neither of nor by division employees, to include sexual harassment and any other unlawful discrimination or harassment.

The Equal Employment Opportunity Commission (EEOC) Guidelines indicate that employers will be considered absolutely responsible for the acts of supervisors which constitute sexual harassment. This is regardless of whether or not the specific acts complained of were authorized or forbidden by the Company. According to the Guidelines, "unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature" will be considered harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

The City of Dublin and the Division of Police has never condoned conduct which would violate the Guidelines and employees are hereby reminded of our opposition to such conduct. **Under no circumstances will sexual harassment by our supervisors be tolerated.** Any such conduct will result in prompt disciplinary action up to and including discharge. Paragraph 3 of the City's Guidelines makes the creation of "an offensive working environment" unlawful. Since sex related comments and innuendo can be viewed as creating such an environment, they are included within Administrative Order 2.2 and will not be tolerated.

"The Guidelines also make the City responsible for harassment by non-supervisory co-workers. Therefore, such conduct by employees must not be allowed to take place." (Administrative Order 2.3 of the City of Dublin)

"Employees should be aware that sexual harassment in the workplace is a violation of federal and state laws. The City of Dublin has never condoned such behavior.

Definitions:

Employee - All City of Dublin personnel; including supervisory and non-supervisory, full-time, part-time, and volunteer.

Sexual Harassment - The deliberate or repeated behavior of a sexual nature by one employee to another that is unwelcome, unasked for or rebuked by the other employee. The behavior can be verbal, nonverbal or physical in nature. Examples of sexual harassment could include, but are not limited to, the following:

- Sexual comments of a provocative or suggestive nature;
- Jokes or innuendoes intended for and directed to another employee;
- Creating an intimidating, hostile or offensive working environment;
- Attempts that are made to impose preferential or adverse treatment or make threats concerning an individual's conditions of employment for the purpose of obtaining sexual contact of any nature.

It is the policy of the City of Dublin to provide a business-like work environment free from all forms of employee discrimination and harassment including incidents of sexual harassment. No employee shall be subjected to unsolicited and unwelcomed sexual overtures or conduct, either verbal or physical." (Administrative Order 2.2 of the City of Dublin)

- Posters, post cards, and/or other explicit materials will not be allowed in offices, lockers, or on bulletin boards.
- **An employee who believes he or she has been sexually harassed** is encouraged to report the incident to the Human Resources Director or to his/her designated aide. Interviews and/or hearings into the alleged misconduct will be conducted and a full report will be made to the City Manager for appropriate action.
- Allegations of unwelcome sexual harassment shall be reported by the employee immediately.
- Until the complaint is found to be valid, **the identities of the involved shall be kept confidential.**

Individuals who engage in sexual harassment will be subject to serious disciplinary measures.

Per Section IV of the Administrative Order 2.2 none of the Division of Police employees are within the chain of command of the Human Resources Division.

26.1.4 DISCIPLINARY SYSTEM

A. Training may be used in conjunction with or in lieu of discipline when it can be shown that an act of omission or an error resulted from the agency's lack of training or the individual employee's failure to assimilate certain information.

- Training can be used to strengthen the employee's knowledge, skills, and/or abilities.
- Training can be in the form of in-service or extra-departmental training.

The agency may demand a certain level of performance be demonstrated following completion of training and prior to making a final decision considering the ultimate outcome of disciplinary proceedings.

B. Counseling may be used in conjunction with or in lieu of other forms of discipline when the act is unintentional, the act is minor in nature, and the result or potential result is of little or no consequences. The counseling may be on a formal or an informal basis.

Supervisors should create documentation of any counseling sessions including any evidence that the counseling session(s) has led to improvement in the circumstances from which the counseling arose.

C. The agency has procedures and criteria for taking punitive actions in the interest of discipline. (Refer also to General Order 52, concerning complaints, internal affairs, and investigations).

Employees who violate any laws or statutes of the United States, the State of Ohio, or the Ordinances of the City of Dublin, or who violate any provision of the written directives of the City of Dublin, the

Dublin Division of Police, or who disobey any lawful order, or is incompetent to perform their duties, are subject to appropriate disciplinary action.

The following is excerpted from the City's Code of Personnel Practices §11.02 (Applicable to all employees unless superseded by Agreement, otherwise applicable to non-bargaining employees of the agency.)

"The principles of progressive disciplinary action will be followed with respect to minor offenses. For minor offenses, an oral reprimand, a written reprimand, and a suspension shall be given prior to demotion or dismissal. The primary responsibility for the administration of discipline shall rest upon the immediate supervisor of the employee to be disciplined, although if he fails to take actions, which in the opinion of his superior is justified, such superior himself may impose the discipline. Such disciplinary action may consist of any action which is appropriate to the offense, including:

- Informal (oral) reprimand;
- Formal, written reprimand which becomes part of the employee's personnel file;
- Suspension from duty without pay;
- Demotion in rank or reduction in salary;
- Dismissal.

"Disciplinary action taken against an employee, which is other than in the nature of a minor first offense warning, shall be in writing and made a part of the employee's permanent personnel file.

"A suspension from duty without pay for a period exceeding three (3) days must be reviewed and approved by the City Manager prior to becoming effective. Informal reprimands, formal reprimands and suspensions from duty without pay for three (3) days or less shall not require prior approval by the City Manager. However, it is suggested that the Department Head notify the City Manager whenever an employee is suspended for three (3) days or less. Of course, all demotions in rank, reductions in salary and dismissals must be reviewed and approved by the City Manager prior to becoming effective. Nothing in this section shall be deemed to preclude an employee from being relieved of duty if in the judgment of his supervisor such action is necessary. In all cases of discipline, the Grievance Procedure set forth in 11.05 below shall control. Disciplinary actions shall in all cases be dealt with in a confidential manner. Specifically, employees who are or who may be the subject of any disciplinary action and supervisors/superiors who take or are considering taking any disciplinary action shall refrain from discussing or otherwise disclosing such action to any persons except those who by this Code or other law are entitled to such information. Whenever a written communication is transmitted to a higher supervisory authority in which matters are discussed which, if true, could become the basis of disciplinary action against an employee (whether or not such disciplinary action is subsequently taken), the employee who is the subject of such communications shall be given a copy of it at the time of its transmittal. This paragraph does not apply to communications regarding a criminal investigation into activities of an employee."

Discipline for Cause and Progressive Discipline:

Discipline involving members of FOP Lodge 9 (Officers, Corporals, and Sergeants) and members of the FOP/OLC (Communications Technicians) are also subject to discipline as prescribed in their respective contracts. These documents outline the following:

- Discipline for Cause
- Progressive Discipline
- Disciplinary Action
- Pre-disciplinary Conference
- Appeal

(See Section 10 FOP Lodge 9 and FOP/OLC Agreements)

26.1.5 SUPERVISORY ROLE AND AUTHORITY IN DISCIPLINE

The primary responsibility for monitoring and controlling the actions of employees rests with their immediate supervisor, who shall normally be the initiators of the disciplinary process and who should use their knowledge of supervision, their knowledge of the particular employee, their knowledge of the particular infraction and the circumstances surrounding the infraction to recommend corrective actions.

"The duty of maintaining discipline among employees shall rest initially with the immediate supervisor and finally with the City Manager. The City Manager has the power and duty, when he deems it necessary for the good of the service, to suspend, remove or otherwise discipline all municipal employees and appointive administrative officers. (Charter, Article V, Section 5.04 (B) (1))." (Section 11.03 of Code of Personnel Practices and Procedures)

The prerogative to issue oral reprimands and written reprimands is solely within the Divisional Chain of Command and is outlined in detail in section 10.3 of the FOP #9 Agreement and the FOP/OLC Agreement with the City.

- **Immediate supervisors may issue oral and written reprimands** and may, in cases of severe infractions, impose emergency suspensions.
- **Immediate supervisors may forward other disciplinary reports** in writing through channels recommending suspensions or other disciplinary actions, which shall be reviewed by the Chief of Police.
- **The Chief of Police and the City Manager** are ultimately responsible for the determination of disciplinary action to be taken.

26.1.6 DISCIPLINARY APPEAL PROCEDURES

A. Appeal procedures are established in the Code of Personnel Practices and Procedures of the City for **non-bargaining unit members** of the agency and in the contract(s) and agreement(s) with **bargaining unit members** and apply only to actions taken by a supervisor in the administration of discipline. (Note that appeals are governed by the same provisions as grievances.) (See also G. O. 25.1)

- **A classified and regular employee or officer of the City who feels aggrieved** by the action of his supervisor in the administration of discipline, may appeal such disciplinary action according to the step(s) set forth below. For a particular disciplinary action, the employee shall follow the procedural steps in the order established, and the last step listed is the final point of appeal.
- The City Manager shall discipline employees in the classified and unclassified service and the Personnel Board of Review has the power to hear appeals from administrative determinations made pursuant to the Code of Personnel Practices and Procedures and as may be authorized by the Code (Charter, Article VII, 7.05). (**Section 11.05 of the Code of Personnel Practices and Procedures, Article 8 of the FOP #9 Agreement - Grievance Procedure, Article 8 of the FOP/OLC Agreement - Grievance Procedures**)
- Bargaining unit members may chose to present an appeal through the Chief of Police for non-suspension discipline only. For cases involving suspensions, appeal is directly to arbitration or to the Personnel Board of Review. (**See Article 10.5 of FOP #9 and FOP/OLC Agreement - Pre-Disciplinary Conference**)

B. Time limitations for filing and resolution of appeals are clearly identified in section 11.05 of the Code of Personnel Practices and Procedures and also in articles 8 and 10.5 of the FOP and FOP/OLC Agreements.

C. **A grievant may verbally present his/her grievance** to his/her immediate supervisor as the first step of the grievance process. A form may also be provided for grievances or, if no such form exists, the employee may submit a written statement of the allegation(s) and facts surrounding a grievance. Notice to arbitrate is the only document requested in the case of a suspension.

- For **non-bargaining unit members**, a written statement of the grievance and the facts upon which it is based, a written allegation of the specific wrongful act and harm done, and a written statement of the remedy or adjustment sought should be the minimum information included in a grievance. (See General Order 25.1.1)
- The organization and content of grievances for **bargaining unit members** will be included in the contract(s) or agreement(s). (**Article 8.4 of FOP #9 Agreement - Grievance Form, 8.4 of FOP/OLC Agreement - Grievance Form**) (See General Order 25.1.1)

D. **In responding to a formal grievance**, procedures include acknowledging receipt of the grievance by noting time, date, and person receiving the grievance; analyzing the facts or allegations; affirming or denying, in writing, the allegations in the grievance; and identifying the remedy or adjustments, if any, to be made.

- The appeal procedure(s) will be outlined as part of the grievance procedure in the Code of Personnel Practices and Procedures and in the contract(s) or agreement(s) with bargaining unit members. (Section 10.5 of FOP #9 and FOP/OLC Agreements).
- Specific time limitations for filing grievances and for responding to the employee's grievance are specified in section 11.05 of the Code of Personnel Practices and Procedures and article 8 of the FOP #9 and FOP/OLC Agreements.

26.1.7 INVESTIGATION OF CASES OF DISMISSAL

- A. Pursuant to grievance procedures, and in the interests of clarity, an employee subject to dismissal shall be given a statement citing the reason(s) for his/her dismissal.
- B. In addition, the employee shall be provided with written notification of the effective date of dismissal.
- C. Finally, the employee shall receive a written statement of the status of any benefits due following dismissal, and a statement as to the content of the employee's employment record relating to the dismissal.

26.1.8 RECORDS OF DISCIPLINARY ACTIONS

"Whenever a disciplinary action is taken which results in a disciplinary action of record... the employee shall be given a copy of such record." (Section 11.04 of Code of Personnel Practices and Procedures; Section 11.02 (B) through (E) of Code of Personnel Practices and Procedures)

- The retention of disciplinary records may be governed under contract(s) or agreement(s) with the bargaining unit(s). (Section 10.2 of the Code of Personnel Practices and Procedures, Article 11 of FOP #9 Agreement - Personnel Files, Article 11 of FOP/OLC Agreement -Personnel Records).
- **Disciplinary files will be located in the administrative offices of the Dublin Division of Police** and will be kept under the control and at the direction of the Chief of Police. All disciplinary files that include suspensions/dismissals and all disciplinary actions of record shall be housed within the Division of Human Resources.

CROSS REFERENCE TO STANDARDS AND POLICIES: Administrative Order 2.12, Administrative Order 2.2, Administrative Order 2.3, Administrative Order 2.35, Administrative Order 3.2, Administrative Order 3.3, Administrative Order 2.46, Article 10 and Article 18 of the FOP #9 Agreement, and FOP/OLC Article 10, and 15-18, G.O. 31.2.3, G.O. 41.3.4, G. O. 22.2.8, G.O. 25.1.1

CROSS REFERENCE TO FORMS: FOP Lodge 9 and FOP/OLC Grievance Forms.