

Guidelines for Progressive Discipline Performance Track

ABUSE OF A PERSON SERVED	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Physical or sexual abuse of any type or nature to an individual under the supervision or care of the Board.	Removal				
Verbal abuse which is defined as purposely using words or gestures to threaten, coerce, intimidate, harass or humiliate an individual.	Up to but Not Limited to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
SEXUAL CONDUCT, CONTACT, OR INAPPROPRIATE ACTIVITY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Engaging in any sexual conduct, contact or activity (including consensual and/or prohibited as defined by ORC 5123.541) with a person with a disability entrusted to the care of the Board.	Up to but Not Limited to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
MISAPPROPRIATION	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Knowingly depriving, defrauding, or otherwise obtaining the real or personal property of a person served by any means, without the consent of the individual, or when the individual has a designated legal guardian, without the consent of the legal guardian.	Up to but Not Limited to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
EXPLOITATION	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Any act intended to exploit, extort, or defraud a person with a disability, including but not limited to, the misuse of authority over an individual, forcing or compelling the individual to do anything illegal or immoral, or attempting to extort money or property from an individual.	Up to but Not Limited to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal

NEGLECT OF A PERSON SERVED	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
When there is a disregard of duty resulting from carelessness or willfulness in failing to provide an individual with any treatment, care, goods, supervision, or services necessary to maintain the health and safety of the individual.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
The use of any behavior support method, including restraint or timeout, that is implemented in a manner prohibited by rules promulgated by the Department of Developmental Disabilities for which they have been properly trained.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
An act, failure to act, behavior or judgment towards an individual that is insensitive and/or inattentive to the needs and/or rights of a person served.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Using an inappropriate tone of voice, remarks, bantering, or slang (that does not rise to the level of verbal abuse) to an individual served.	Written Instruction and Cautioning	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension	Up to 5 Day Time - Working Suspension	Up to 10 Day Time - Working Suspension to Removal
Knowingly engaging in/or making poor decisions or using poor judgment that could jeopardize the safety of a person served.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Knowingly failing to follow a policy, procedure, or program implemented to ensure the safety and well-being of individuals served.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
FAILURE TO REPORT	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Failing to report in any manner which results in potential or actual harm to a person served. Failing to report, lying, covering up abuse, neglect, or mistreatment.	Up to 5 Day Time - Working Suspension to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal

Late or delayed reporting of an incident to a supervisor or other authority which results in actual harm to an individual.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	10 Day Time -Working Suspension to Removal	Removal
BREACH OF CONFIDENTIALITY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Failing to appropriately maintain or safeguard records or documents, but not limited to, destroying, revealing, accessing, or misusing documents or information. Any confidentiality violation of the Health Insurance Portability Act (HIPAA)	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
INSUBORDINATION	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Failing to follow a direct order, instruction, or command by an appropriate authority pertaining to individuals with disabilities.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Failing to follow a direct order, instruction, or command by an appropriate authority not pertaining to individuals with disabilities.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Untimely compliance with an order, instruction or command by a supervisor or by an appropriate authority. Uncooperative, failing to accept authority or argumentative, or disrespect of authority.	Written Instruction and Cautioning to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
WORK STOPPAGE	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Leading, coordinating, organizing, promoting, or planning a work stoppage or other cessation of service except as provided for under ORC Chapter 4117 or the Occupational Health and Safety Act.	Removal				

Participation in a work stoppage except as provided for under ORC Chapter 4117 or the Occupational Health and Safety Act. Participating in or encouraging others to participate in a strike, slow down, sick out, work interruption, or other form of job action or interruption, concerted or otherwise; interfering with the activities of employees who do not participate in a work stoppage.	Up to 10 Day Time - Working Suspension to Removal	Removal			
INTERFERENCE IN AN INVESTIGATION	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Interfering, failing to comply, withholding information or failing to cooperate with an investigation related to abuse, neglect, mistreatment, death, or other significant event of an individual served. (Weingarten Rights will be preserved for represented employees).	Up to 10 Day Time - Working Suspension to Removal	Removal			
Failure to comply or cooperate with an investigation. Includes but not limited to failing to remain until all questions are answered, failing to truthfully and/or completely answer questions, failing to provide written statements, giving false statements and/or withholding information. (Weingarten Rights will be preserved for represented employees).	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	
Interfering with an investigation including but not limited to, coaching, threatening, coercing, or intimidating anyone associated or involved internally or externally in an investigation. (Weingarten Rights will be preserved for represented employees).	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	
FAILURE OF GOOD BEHAVIOR	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense

Placement on any State Registry or list pertaining to eligibility for employment. Includes but is not limited to, the Ohio Department of Developmental Disabilities Abuser Registry and the Ohio Department of Health Nurse Aide Registry.	Removal				
Fighting, or striking another, or any other act that is in violation of the Violence Prevention in the Workplace Policy.	Removal				
Threatening, intimidating, or any other threat that is in violation of the Violence Prevention in the Workplace Policy.	Written Notice of Failure to Perform to Removal				
Disrupting the work environment. Engaging in horseplay or practical jokes on the clock, at the workplace or on the property of the Board.	Written Instruction and Cautioning to Removal	Up to Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal
Any act of discrimination or insult of an EEO protected class.	Up to 2 Day Time - Working Suspension to Removal	UP to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	
Displaying offensive material, including but not limited to, photos, videos, tapes, etc. that is degrading or objectionable to the Board, employees, individuals served, or to the public.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal

Discourteous treatment of an employee or the public. Includes but not limited to, being disrespectful and/or using disrespectful language to coworkers, management, or the public. Engaging in arguments with coworkers, management, and/or the public.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Any act that would or potentially bring discredit to the Board.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Unauthorized or inappropriate use or misuse of information technology resources. Includes but not limited to Internet, email, computer hardware and software, and telecommunications equipment and services.	Written Instruction and Cautioning	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal
Any Violation of ORC 5126.23 Conduct of Public Employees.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Unauthorized use or possession of personal equipment while on duty including but not limited to, cell phones, tape recorders, laptops, cameras, and video camcorders.	Written Instruction and Cautioning	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal
NEGLECT OF DUTY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Being under the influence of an intoxicating substance while on duty or violation of the drug-free workplace policy.	Up to Removal				

Failure to maintain required minimum qualifications, license or certification. Includes but not limited to, driver license (e.g. no work driving privileges after 30 days, and/or failing to renew expired license by date of request), professional license or certification required to meet required minimum qualifications of the position.	Up to Removal				
Failure to obtain work driving privileges within 30 days from date of suspension for positions that require driving as duties or are a specific minimum qualification of the position.	Up to Removal				
Knowingly driving a Board vehicle without a valid driver's license.	Up to Removal				
Preventable Minor Vehicle Accident with less than \$1,000 damage	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Preventable Major Vehicle Accident with over \$1,000 damage	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Sleeping on Duty.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Inattention to duty, not alert on duty, appearing to be in or taking on a posture of rest while on duty.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Carelessness or failure to maintain control of authorized equipment, tools, cell phones, keys, which could result in loss, damage, or an unsafe act.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Failure to follow policy or work rule not pertaining to individuals served. Failure to follow a practice/procedure of the Board.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal

Idleness, inefficiency, incompetence, or failure to work or complete assigned duties.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Exercising poor judgment or poor decision making.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Failure to affirm contents of policies and/or regulations of the workplace. Includes but not limited to failure to sign required documentation, and/or affirm attendance at briefing sessions.	Written Instruction and Cautioning up to Written Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Any violation of ORC 124.34, or ORC 5126.23 Neglect of Duty.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
DISHONESTY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Theft - any act of theft as defined by ORC 2921.41 and 2913.01(k)	Removal				
Unauthorized use/misuse of goods or other property of the Board, or an individual served.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Swiping the timecard or sign in/out for another employee or having one's time record altered by another employee without authorization.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Falsification of documents includes but not limited to, employment applications, timecards, travel expense reports, investigative reports, official documents, or written statements.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Any violation of ORC 124.34, or of ORC 5126.23 - Dishonesty	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
ILLEGAL ACTIVITY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Conviction or guilty plea of any offense prohibited under ORC 5123.081, includes failing to report as defined by policy.	Removal				

Felony Conviction or guilty plea, includes failing to report as defined by policy.	Removal				
Possession of any weapons or other prohibited items on Board property.	Removal				
Sale, possession or distribution of illegal drugs, alcoholic beverages or controlled substances while on duty or on Board property other than required for medical reasons/prescriptions.	Removal				
Misdemeanor conviction or guilty plea, including failing to report as defined by policy. (Nexus established).	Up to 10 Day Time - Working Suspension to Removal	Removal			
Engaging in political activity as prohibited by ORC 124.57.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Engaging in conduct that violates the Ethics Act Chapter ORC 102; and/or ORC 2921.42.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Any violation of ORC 124.34, or ORC 5126.23 any violation of chapter or rules.	Written Notice of Failure to Perform to Removal	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal

Attendance Track

JOB ABANDONMENT	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
No call/no show without proper authorization (AWOL) for three (3) consecutive days.	Removal				
FAILURE TO REPORT FOR DUTY	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
Failure to return from an approved leave of absence within three scheduled days.	Removal				
No call/no show, failed to make contact for one or two scheduled days.	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	

Patterned or excessive absence in conjunction with weekends, days off, paydays, vacation, holidays, special events, disliked work assignments, or any other recognizable pattern. Using sick leave (not in conjunction with a leave benefit) in excess of amount accrued in 26 pay periods.	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal		
Not in approved leave status for one day.	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	
Not in approved leave status for more than one hour, but less than one day.	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal	
Not in approved leave status for one hour or less.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Failure to complete the appropriate Request for Leave forms and/or timekeeping paperwork.	Written Instruction and Cautioning	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal
Tardiness as defined by collective bargaining agreements and/or Board policy.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Out of work area without approval.	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal
Failure to follow policy - Attendance, Tardiness, and Sick Leave	Written Notice of Failure to Perform	Up to 2 Day Time - Working Suspension to Removal	Up to 5 Day Time - Working Suspension to Removal	Up to 10 Day Time - Working Suspension to Removal	Removal