

Discipline Standards

County Risk Sharing Authority

209 E. State Street

Columbus, Ohio 43215

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GOAL OF EMPLOYEE DISCIPLINE

- Goal of Discipline and Standards of Conduct
- Progressive Discipline
- Consistent Application
- Collective Bargaining Agreements and Civil Service Employees
- Civil Rights, Discrimination, Retaliation, Unemployment



STANDARDS FOR DISCIPLINE

- At Will (Unclassified)
- Just Cause (Classified / Union)
 - Whether a standard/rule existed
 - Whether the employee knew, or should have reasonably known, of the standard
 - Whether the employee violated the standard/rule
 - Whether the penalty imposed was appropriate



IMPORTANCE OF HAVING (AND FOLLOWING) A DISCIPLINE POLICY

- Typical Forms of Discipline
- Progressive Discipline
- Consistency and “Past Practice” is Key
 - Disparate Treatment
- Employer Handbooks and Policies and Standards of Conduct
 - Role of Disclaimers and Collective Bargaining Agreements
- CORSA Best Practices Policy Manual



CONDUCTING AN EFFECTIVE DISCIPLINARY INVESTIGATION

- When to Investigate
- Why Investigate
- Pre-Investigation Process
- Who Should Lead the Investigation?
- What to do with the Accused Pending Disciplinary Investigations
- Conducting the Investigation



POTENTIAL CLAIMS OF TERMINATED EMPLOYEES

- Federal Claims
- State Claims
- Retaliation
- Additional Claims



THE DISCHARGE AND ITS AFTERMATH

- Tips for Avoiding Future Liability
- Deny Access to Hardware and Software
- Security
- References
- Last Chance Agreements
- Separation/Settlement Agreements



KNOWING THE LITIGATION PROCESS MATTERS

- Litigation
 - Complaint
 - Service and Summons
 - Answer
 - Discovery
 - Trial
- Administrative Proceedings
 - EEOC
 - OCRC
 - Initiating a Charge
 - SPBR



Thank You!

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