



GREATER VALLEJO RECREATION DISTRICT

Board of Directors
Gary Salvadori
Sheryl Pannell Lea
Ron C. Bowen
Robert Briseno
Karen Sims

General Manager
Gabriel Lanusse

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In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the District Office at 707-648-4604 or fax 707-648-4616. Requests must be made as soon as possible and at least three (3) full business days before the start of the meeting.

Policies and Personnel Committee Directors: Pannell Lea and Briseno

**Agenda
Monday, September 14, 2020
10:00am**

**Due to Solano County and the State of California's shelter in place orders our
Committee Meetings will be held remotely via Zoom Meetings**

(The Zoom platform is ADA compliant)

**The public may attend by visiting: <https://zoom.us/j/4425425788>
You may also call in at +1 669 900 9128 US - Meeting ID: 4425425788**

- 1. Policy 2250 & RR2250 "Separation from District Employment" - Discussion**
- 2. Policy 2320 – "Disaster Service Worker" - Discussion**
- 3. Policy 2260 – "Disciplinary Action" - Discussion**
- 4. Staffing and Future planning - Discussion**
- 5. Covid and Reopening Planning/Protocol - Update**
- 6. Implementation of Zenefits and Policy Impact**
- 7. Remote Work Policy – Discussion**
- 8. Air Quality Index Policy Creation – Discussion**
- 9. Use of Recreation Facilities - Discussion**

Next Meeting: October 13, 2020

Mission Statement:

Building community and enhancing quality of life through people, parks, and programs.

Website: www.gvrd.org

Greater Vallejo Recreation District

POLICY MANUAL

POLICY TITLE: Separation from District Employment
POLICY NUMBER: 2250

Voluntary Resignation

To leave District service in good standing, an employee must file a written notice of termination at least two weeks before the effective date. The General Manager may, however, grant good standing with less notice if he/she determines the circumstances warrant. Resignations may not be withdrawn without the General Manager's approval.

An employee who fails to report to work for two (2) consecutively scheduled workdays without notice or approval by his/her supervisor will be considered voluntarily terminating employment with the District.

A regular employee who voluntarily resigns shall be ineligible for reinstatement to the same position held on separation from employment or be eligible to have his/her name placed on a re-employment list established due to layoffs. However, the employee who voluntarily resigned may seek re-employment to any position for which qualified under the same conditions as any other person seeking employment with the District. Any person re-employed to any position in the District shall be governed by Policy # 2090, Probationary Period. The re-employed person shall not receive credit for service prior to such re-employment for purposes of layoff, sick leave or annual leave until he/she has served five (5) years of unbroken District service from the date of re-employment.

Layoffs

Whenever, in the judgment of the Board of Directors it becomes necessary in the interest of economy or because of budget reductions or the necessity for a position no longer exists, the Board may abolish any position(s) and transfer, demote or layoff an employee(s) holding such position. The affected employee may have retreat rights to displace an employee who has less seniority in a position that the employee has previously occupied or supervised. Seniority shall be determined by the date of hire to a full time position.

The General Manager or designee shall develop the rules and regulations that define the procedures and process for layoffs, bumping, and re-employment in accordance with the law and collective bargaining agreements.

Dismissal

Any person holding a position in the District may be dismissed by the General Manager for any of those reasons cited in Policy #2190, Drug-Alcohol Abuse, and Policy #2260, Disciplinary Action.

During the probationary period an employee may be dismissed at any time by the appointing authority without cause, and without the right of appeal. Notification of the rejection shall be provided in writing to the probationer.

Senior management appointed by the General Manager, subject to the approval of the Board, who are removed or suspended by the Board or the General Manager, shall have written notice of the cause of his/her removal or suspension.

Dismissal of the General Manager shall be as outlined in the employment agreement between the General Manager and the District.

Greater Vallejo Recreation District

Rules and Regulations

POLICY NUMBER/TITLE: 2250 Separation from District Employment
Rule and Regulation: RR2250

When the Board of Directors authorizes reducing or abolishing any position(s) within the District, the employee(s) holding the position may be laid off, demoted, or transferred. Such action shall not be considered disciplinary actions for appeal purposes.

Statement of Intent

The General Manager will provide in writing notification to the Union(s), for Union represented positions, or the employee, for non-represented positions, at least sixty (60) calendar days prior to the anticipated action. This notice will include the proposed effective date and number of individuals included in the action.

Order of Layoffs

The layoff order for affected employees shall be determined by seniority within a class within a Department. Seniority will be determined by the date of hire as a regular employee. Whenever the General Manager believes that the best interests of the District requires the retention of an employee(s) with special qualifications, characteristics, and skills, the General Manager may prepare a written request to the Union to grant an exception to the order of layoff. Once the order has been established, the affected employees shall receive written notice at least 30 calendar days prior the effective date.

Vacancy and Demotion

Whenever there is a reduction in the work force, the General Manager may first demote the employee subject to the layoff to a vacancy, if any, in the affected department in a lower class previously held by the employee. A "vacancy" is defined as a position within the District that is vacant and approved for funding by the Board of Directors and General Manager. However, if the employee subject to the layoff has more seniority than another employee in the same class, he/she may displace the less senior employee.

Displacement of Less Senior Employees

In the event there are no vacancies, a regular employee may have retreat rights to displace an employee who has less seniority in a position that the employee has previously held and performed satisfactorily in.

In order to retreat, the affected employee must request displacement action in writing to the General Manager within five (5) working days of receipt of the notice of layoff or position elimination. An employee retreating to a lower class must accept the hours and working conditions of the displaced employee. The retreating employee shall be placed at the salary step within the new range representing the least loss of pay and will not be required to serve a probationary period.

The affected employees may waive the retreat right to an available position in writing to the General Manager within five (5) working days of receiving the notice of layoff. Employees who waive their retreat right within the time limits shall not be considered to have resigned nor lose their current position on the re-employment list.

If the affected employee does not provide in writing a request for displacement action or waive his/her retreat rights within the five (5) working days time frame, he/she loses all retreat rights.

Re-employment List

The names of laid off regular employees shall be placed on a master re-employment list for a one (1) year period. Such list shall be used by the District when a vacancy arises in the same or lower class before recruitment outside the District. An employee who resigns, retires or is terminated for reasons other than a layoff relinquishes any and all right to be placed on the list.

Employees will be recalled in the reverse order of the layoff. Employees who are laid off and are subsequently rehired within ninety (90) calendar days following the layoff will be considered as having served continuously in the District for purposes of seniority and vacation accrual.

Laid off employees re-employed to permanent positions within the District at the same level as laid off shall be dropped from the list. Laid off employees re-employed to a lower class shall remain on the list for the higher position for one (1) years. All persons re-employed after six (6) months shall be required to serve a new probationary period. Persons on the re-employment list shall have one (1) opportunity to refuse re-employment before they are dropped from the list.

Offer for Re-employment

When a vacancy arises in the same or lower class held by the laid off employee(s), a written offer shall be sent to the employee(s). A reasonable effort shall be made to contact the person(s) eligible for re-employment, but it is the responsibility of that person(s) to keep the District informed of where he/she can be reached. The employee will have fifteen (15) calendar days from the deposit of the offer in the United States mail to deliver or cause to be delivered, his/her acceptance of the offer. The job offer will be conditional upon the satisfactory completion of a pre-employment physical and drug screen. Failure to respond within the time limit shall be considered as declining the offer, and the employee will be removed from the re-employment list.

Greater Vallejo Recreation District

POLICY MANUAL

POLICY TITLE: Disaster Service Worker Designation
POLICY NUMBER: 2320

Pursuant to Government Code 3100-3109, Greater Vallejo Recreation District [GVRD] employees will be designated as Disaster Service Workers [DSWs]. Where allowable, within the first 30 days of employment, GVRD employees will take and subscribe to a Loyalty Oath. Where needed, District employees shall take and subscribe to a Loyalty Oath after the first 30 days of employment. The oath may be taken before any officer authorized to administer oaths.

LOYALTY OATH

STATE OF CALIFORNIA }
[Vallejo, CA, Solano County, } S. S.
Greater Vallejo Recreation
District]

*I, _____, do solemnly swear (or affirm)
that I will support and defend the Constitution of the United States and
the Constitution of the State of California against all enemies, foreign and
domestic; that I will bear true faith and allegiance to the Constitution of
the United States and the Constitution of California; that I take this
obligation freely, without any mental reservation or purpose of evasion; and
that I will well and faithfully discharge the duties upon which I am about
to enter.*

Witness my hand this.....day of....., 20__

.....
Affiant

Subscribed and sworn to before me
this.....day of, 20__

.....
Official authorized to administer oaths
Title.....

Greater Vallejo Recreation District

POLICY MANUAL

POLICY TITLE: Disciplinary Action
POLICY NUMBER: 2260

The Board of Directors desires that all employees exhibit professional and appropriate conduct and serve as positive role models in the community. Unacceptable behavior or violation of District policies and rules may warrant disciplinary action. The District has established a system of discipline that includes, but may not be limited to, verbal warnings, written warnings, suspensions and terminations. The District may, at its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. The District, at its sole discretion, may terminate an employee, even though the employee has not received prior warnings or suspensions. The General Manager shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

The General Manager or designee shall develop the rules and regulations that define the disciplinary actions and the appeals process in accordance with the law.

Greater Vallejo Recreation District

POLICY MANUAL

POLICY TITLE: Disciplinary Action
POLICY NUMBER: 2260

The Board of Directors desires that all employees exhibit professional and appropriate conduct and serve as positive role models both within the workplace and in the community. Unacceptable behavior or violation of District policies and rules may warrant disciplinary action. The District has established a system of discipline that includes, but may not be limited to, verbal warnings, written warnings, suspensions, demotions, and terminations. The District may, at its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to and including termination of employment. The District, at its sole discretion, may terminate an employee, even though the employee has not received prior warnings or suspensions. The General Manager shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented. The District's disciplinary system does not alter the employment relationship of any employee who serves in an "at-will" capacity.

The General Manager or designee shall develop the rules and regulations that define the disciplinary actions and the appeals process in accordance with the law.

Greater Vallejo Recreation District

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The General Manager or designee shall develop the rules and regulations that define the disciplinary actions and the appeals process in accordance with the law.

Greater Vallejo Recreation District

Rules and Regulations

POLICY NUMBER/TITLE: 2260 Disciplinary Action
Rule and Regulation: RR2260

Disciplinary Action

Employees may be disciplined for violations of District policies or regulations. Some of the reasons for disciplinary action include, but are not limited to, unauthorized absence, dishonesty, inefficiency or failing to perform the duties of his/her position, refusal to obey reasonable orders of supervisor, or discourteous treatment of a member of the public or another District employee. The disciplinary action may be one or a combination of the following appropriate to the facts and circumstances involved:

- Verbal Warning – verbal notification to an employee that there is dissatisfaction with his/her service or conduct, and that if the cause is not corrected further disciplinary measures will be taken;
- Formal letter of reprimand notifying the employee that there is dissatisfaction with his/her service or conduct, and that further disciplinary measures may be taken if the cause is not corrected. Unless revoked completely on appeal, the reprimand as amended or modified, along with any written responses, shall be placed in the employee's personnel file. Provided that no additional incident occurs of a like nature, the written reprimand and response shall remain in the employee's file for a period not to exceed two (2) years from the date the final reprimand was issued;
- Demotion in classification or rank to a lower classification or rank with reduction in salary. Demotion may be permanent or temporary. Reduction in pay is effective at the beginning of the next payroll period following the effective date;
- Reduction of step within range granted for merit and/or length of service. Reduction in pay is effective at the beginning of the next payroll period following the effective date of the disciplinary action;
- Suspension without pay for a period not to exceed thirty (30) days per incident. A suspended employee forfeits rights as an employee, including use and accrual of leave, while serving such suspension, except for insurance coverage;
- Termination – permanent discharge from the District's service.

The department head/supervisor has the authority to take disciplinary action following review and concurrence by the General Manager.

All disciplinary action with the exception of verbal warnings will be accompanied by a letter signed by the General Manager or designee to the employee specifying:

1. A description of the action taken and its effective date or dates;

ORIGINAL POLICY

2. A clear and concise statement of the reason(s) for such actions, including the acts or omission on which the disciplinary action is based;
3. A statement advising the employee of the right to respond either verbally or in writing to the authority proposing the action prior to its effective date, including the time within which such response must be made.

The written notice shall be served on the employee at least ten (10) working days prior to the effective date of any disciplinary action against an employee.

Appeals

The employee is entitled to respond to the action within ten (10) working days of the receipt of the written notice. The ten (10) working day response period begins the day following the date the written notice was served on the employee either in person or by the proof of service date if mailed.

If the employee elects to respond in person, a meeting shall be scheduled with the General Manager at which the employee shall be afforded the opportunity to respond to the proposed action. The employee may be represented by another in presenting a response. The General Manager may amend, modify, revoke or sustain any or all of the charges contained in the written notice.

After hearing and considering the response of the employee the General Manager shall issue a decision indicating:

1. The original action is affirmed, or
2. The original action is affirmed as modified or amended by the General Manager; or
3. The original action is revoked and the charges against the employee are dismissed.

If the decision is either 1 or 2 as noted above, the General Manager will include in the notice to the employee that he/she has the right to appeal to the Policies and Personnel Committee and the date which that appeal must be made. Appeals to the Policies and Personnel Committee must be filed in writing within ten (10) calendar days of the receipt of the decision of the General Manager.

The Policies and Personnel Committee will hear the appeal in closed session within fifteen (15) calendar days of receipt of the appeal. The Committee's decision shall be announced in open session immediately after the closed session in which it was made. In addition, the employee shall receive written notification of the decision.

The decision of the Policies and Personnel Committee for appeals of a formal letter of reprimand or a suspension of five (5) or less days shall be final and binding.

For all other disciplinary actions, either party may appeal the decision of the Policies and Personnel Committee to the full Board. Appeals to the Board shall be in writing and must be made within five (5) days of the issuance of the Policies and Personnel Committee decision. The appeal will be heard at the next regularly scheduled

ORIGINAL POLICY

Board meeting in closed session to hear the reasons for the General Manager's and Policies and Personnel Committee's decisions. The final and binding decision of the Board of Directors shall be announced in open session immediately after the closed session in which it was made. In addition, the employee shall receive written notification of the decision.

Immediate Suspension of an Employee

In the event that an employee's behavior while on duty threatens the health and safety of any person; causes serious damage to public property, is an offense which seriously impedes District operations, or the employee is arrested and charged with disorderly or immoral conduct as defined in Public Resources Code, Section 5164, and any amendment thereto, the General Manager may immediately suspend the employee from his/her duties. The written notice of suspension shall be in writing and delivered to the employee at the earliest possible time considering the circumstances. The suspended employee shall not receive pay during the period of suspension. If the suspension is affirmed, modified or revoked, the disposition of the salary shall be addressed.

Compulsory Dismissal

Upon receipt of written electronic notification from the Department of Justice of a conviction for a crime defined in the Public Resources Code, Section 5164, and any amendment thereto, the employee shall be terminated automatically and without regard to any other termination procedure.

Greater Vallejo Recreation District

Rules and Regulations

POLICY NUMBER/TITLE: 2260 Disciplinary Action
Rule and Regulation: RR2260

Applicability

This Rule and Regulation shall only apply to regular full-time employees, and shall not apply to any other category of employee including, but not limited to, probationary employees, part-time employees, temporary employees, or other employees who serve in an "at-will" capacity.

Disciplinary Action

Employees may be disciplined for violations of District policies or regulations. Some of the reasons for disciplinary action include, but are not limited to, unauthorized absence, dishonesty, inefficiency or failing to perform the duties of his/her position, refusal to obey reasonable orders of supervisor, ~~or discourteous treatment of a member of the public or another District employee, etc.~~ The disciplinary action may be one or a combination of the following appropriate to the facts and circumstances involved:

- ~~Verbal warning notifying~~ Warning—verbal notification to an employee that there is dissatisfaction with his/her service or conduct, and that if the cause is not corrected further disciplinary measures will be taken. A verbal warning shall not be subject to appeal;
- Formal letter of reprimand notifying the employee that there is dissatisfaction with his/her service or conduct, and that further disciplinary measures may be taken if the cause is not corrected. The employee may provide a written response to the letter of reprimand within 30 calendar days. The letter of reprimand and any response shall be placed in the employee's personnel file. Provided that no further incident or discipline occurs, the written reprimand and any response shall be removed from the employee's personnel file after two (2) years from the date the reprimand was issued. A letter of reprimand shall not be subject to appeal; Unless revoked completely on appeal, the reprimand as amended or modified, along with any written responses, shall be placed in the employee's personnel file. Provided that no additional incident occurs of a like nature, the written reprimand and response shall remain in the employee's file for a period not to exceed two (2) years from the date the final reprimand was issued;
- Demotion in classification or rank to a lower classification or rank with reduction in salary. Demotion may be permanent or temporary. Reduction in pay is effective at the beginning of the next payroll period following the effective date. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A demotion shall be subject to the notice and appeal process set forth below;
- Reduction of step within range granted for merit and/or length of service. Reduction in pay is effective at the beginning of the next payroll period following the effective date of the disciplinary

REDLINE VERSION

action. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A reduction of step shall be subject to the notice and appeal process set forth below;

- Suspension without pay for a period not to exceed thirty (30) work days per incident. A suspended employee forfeits rights as an employee, including use and accrual of leave, while serving such suspension, except for insurance coverage. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A suspension without pay shall be subject to the notice and appeal process set forth below;
- Termination – permanent discharge from the District's service. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A termination shall be subject to the notice and appeal process set forth below.

The ~~A~~ department head/supervisor has the authority to take disciplinary action following review and concurrence by the ~~Human Resources Manager~~ General Manager.

Notice of Intent to Discipline (Demotion, Reduction, Suspension, Termination)

Disciplinary action constituting a loss of compensation (i.e., demotion, reduction, suspension, termination) shall be set forth in a Notice of Intent to Discipline issued by the department head/supervisor that includes the following: All disciplinary action with the exception of verbal warnings will be accompanied by a letter signed by the General Manager or designee to the employee specifying:

1. A description of the proposed action taken and its effective date or dates;
2. A clear and concise statement of the reason(s) for such proposed actions, including the acts or omissions on which the disciplinary action is based;
3. A statement advising the employee of the right to respond either verbally or in writing to the General Manager or his/her designee, authority proposing the action prior to its effective date, including the time within which such response must be made.

The written notice shall be served on the employee at least five (5) ten (10) working days prior to the effective date of any disciplinary action against an employee.

Pre-Disciplinary ("Skelly") Response

Following receipt of a Notice of Intent to Discipline, the employee may provide a written or verbal response (i.e., a "Skelly" response) to the General Manager or his/her designee. Any written response or request to verbally respond must be in writing and received in the General Manager's office within five (5) working days from receipt of the Notice of Intent to Discipline.

Notice of Disciplinary Action

Following completion of the "Skelly" response process, or in the event no response is received, the General Manager or his/her designee may decide to proceed with the proposed discipline by issuing a Notice of Disciplinary Action, or may modify or withdraw the proposed discipline. The Notice of Disciplinary Action shall set forth the effective date or dates of the discipline. A decision by the General Manager or his/her designee to impose a suspension without pay for five (5) days or less shall be final and not subject to further appeal.

Appeals – Policies and Personnel Committee

REDLINE VERSION

A Notice of Disciplinary Action constituting a loss of compensation (i.e., demotion, reduction, suspension without pay for more than five (5) days, termination) may be appealed to Policies and Personnel Committee. Any request to appeal must be in writing and must be received in the General Manager's office within five (5) working days from receipt of the Notice of Disciplinary Action. Thereafter, a hearing shall be scheduled before the Policies and Personnel Committee as soon as feasible.

Following conclusion of the hearing, the Policies and Personnel Committee shall issue a written decision. Either party may appeal the decision to the Board of Directors.

Appeal – Board of Directors

Following a decision by the Policies and Personnel Committee, either party may appeal the decision to the Board of Directors. Any request to appeal must be in writing and must be received in the General Manager's office within five (5) working days from receipt of the decision by the Policies and Personnel Committee. Thereafter, a hearing shall be scheduled before the Board of Directors as soon as feasible. Pursuant to the Brown Act of Government Code section 54957, the appeal shall be heard in closed session unless the employee makes a written request to have the matter heard in open session.

Following conclusion of the hearing, the Board shall issue a written decision. The written decision of the Board shall be final and binding.

~~The employee is entitled to respond to the action within ten (10) working days of the receipt of the written notice. The ten (10) working day response period begins the day following the date the written notice was served on the employee either in person or by the proof of service date if mailed.~~

~~If the employee elects to respond in person, a meeting shall be scheduled with the General Manager at which the employee shall be afforded the opportunity to respond to the proposed action. The employee may be represented by another in presenting a response. The General Manager may amend, modify, revoke or sustain any or all of the charges contained in the written notice.~~

~~After hearing and considering the response of the employee the General Manager shall issue a decision indicating:~~

- ~~1. The original action is affirmed, or~~
- ~~2. The original action is affirmed as modified or amended by the General Manager; or~~
- ~~3. The original action is revoked and the charges against the employee are dismissed.~~

~~If the decision is either 1 or 2 as noted above, the General Manager will include in the notice to the employee that he/she has the right to appeal to the Policies and Personnel Committee and the date which that appeal must be made. Appeals to the Policies and Personnel Committee must be filed in writing within ten (10) calendar days of the receipt of the decision of the General Manager.~~

~~The Policies and Personnel Committee will hear the appeal in closed session within fifteen (15) calendar days of receipt of the appeal. The Committee's decision shall be announced in open session immediately after the closed session in which it was made. In addition, the employee shall receive written notification of the decision.~~

REDLINE VERSION

~~The decision of the Policies and Personnel Committee for appeals of a formal letter of reprimand or a suspension of five (5) or less days shall be final and binding.~~

~~For all other disciplinary actions, either party may appeal the decision of the Policies and Personnel Committee to the full Board. Appeals to the Board shall be in writing and must be made within five (5) days of the issuance of the Policies and Personnel Committee decision. The appeal will be heard at the next regularly scheduled Board meeting in closed session to hear the reasons for the General Manager's and Policies and Personnel Committee's decisions. The final and binding decision of the Board of Directors shall be announced in open session immediately after the closed session in which it was made. In addition, the employee shall receive written notification of the decision.~~

Immediate Suspension of an Employee

In the event that an employee's behavior while on duty threatens the health and safety of any person; causes serious damage to public property, is an offense which seriously impedes District operations, or the employee is arrested and charged with disorderly or immoral conduct as defined in Public Resources Code, Section 5164, and any amendment thereto, the General Manager may immediately suspend the employee from his/her duties. The written notice of suspension shall be in writing and delivered to the employee at the earliest possible time considering the circumstances. The suspended employee shall not receive pay during the period of suspension. The employee shall be provided with an opportunity to respond to the suspension without pay prior to it being implemented. If the suspension is affirmed, modified or revoked, the disposition of the salary shall be addressed.

Compulsory Dismissal

Upon receipt of written electronic notification from the Department of Justice of a conviction for a crime defined in the Public Resources Code, Section 5164, and any amendment thereto, the employee shall be terminated automatically and without regard to any other termination procedure. The employee shall be provided with an opportunity to respond to the compulsory termination prior to it being implemented.

Greater Vallejo Recreation District

Rules and Regulations

POLICY NUMBER/TITLE: 2260 Disciplinary Action
Rule and Regulation: RR2260

Applicability

This Rule and Regulation shall only apply to regular full-time employees, and shall not apply to any other category of employee including, but not limited to, probationary employees, part-time employees, temporary employees, or other employees who serve in an "at-will" capacity.

Disciplinary Action

Employees may be disciplined for violations of District policies or regulations. Some of the reasons for disciplinary action include, but are not limited to, unauthorized absence, dishonesty, inefficiency or failing to perform the duties of his/her position, refusal to obey reasonable orders of supervisor, discourteous treatment of a member of the public or another District employee, etc. The disciplinary action may be one or a combination of the following appropriate to the facts and circumstances involved:

- Verbal warning notifying an employee that there is dissatisfaction with his/her service or conduct, and that if the cause is not corrected further disciplinary measures will be taken. A verbal warning shall not be subject to appeal;
- Formal letter of reprimand notifying the employee that there is dissatisfaction with his/her service or conduct, and that further disciplinary measures may be taken if the cause is not corrected. The employee may provide a written response to the letter of reprimand within 30 calendar days. The letter of reprimand and any response shall be placed in the employee's personnel file. Provided that no further incident or discipline occurs, the written reprimand and any response shall be removed from the employee's personnel file after two (2) years from the date the reprimand was issued. A letter of reprimand shall not be subject to appeal;
- Demotion in classification or rank to a lower classification or rank with reduction in salary. Demotion may be permanent or temporary. Reduction in pay is effective at the beginning of the next payroll period following the effective date. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A demotion shall be subject to the notice and appeal process set forth below;
- Reduction of step within range granted for merit and/or length of service. Reduction in pay is effective at the beginning of the next payroll period following the effective date of the disciplinary action. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A reduction of step shall be subject to the notice and appeal process set forth below;

FINAL VERSION WITH CHANGES

- Suspension without pay for a period not to exceed thirty (30) work days per incident. A suspended employee forfeits rights as an employee, including use and accrual of leave, while serving such suspension, except for insurance coverage. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A suspension without pay shall be subject to the notice and appeal process set forth below;
- Termination – permanent discharge from the District's service. The final notice of disciplinary action and any related documents shall be placed in the employee's personnel file. A termination shall be subject to the notice and appeal process set forth below.

A department head/supervisor has the authority to take disciplinary action following review and concurrence by the Human Resources Manager.

Notice of Intent to Discipline (Demotion, Reduction, Suspension, Termination)

Disciplinary action constituting a loss of compensation (i.e., demotion, reduction, suspension, termination) shall be set forth in a Notice of Intent to Discipline issued by the department head/supervisor that includes the following:

1. A description of the proposed action and its effective date or dates;
2. A clear and concise statement of the reason(s) for such proposed action, including the acts or omissions on which the disciplinary action is based;
3. A statement advising the employee of the right to respond either verbally or in writing to the General Manager or his/her designee, prior to its effective date, including the time within which such response must be made.

The written notice shall be served on the employee at least five (5) working days prior to the effective date of any disciplinary action against an employee.

Pre-Disciplinary ("Skelly") Response

Following receipt of a Notice of Intent to Discipline, the employee may provide a written or verbal response (i.e., a "Skelly" response) to the General Manager or his/her designee. Any written response or request to verbally respond must be in writing and received in the General Manager's office within five (5) working days from receipt of the Notice of Intent to Discipline.

Notice of Disciplinary Action

Following completion of the "Skelly" response process, or in the event no response is received, the General Manager or his/her designee may decide to proceed with the proposed discipline by issuing a Notice of Disciplinary Action, or may modify or withdraw the proposed discipline. The Notice of Disciplinary Action shall set forth the effective date or dates of the discipline. A decision by the General Manager or his/her designee to impose a suspension without pay for five (5) days or less shall be final and not subject to further appeal.

Appeal – Policies and Personnel Committee

A Notice of Disciplinary Action constituting a loss of compensation (i.e., demotion, reduction, suspension without pay for more than five (5) days, termination) may be appealed to Policies and Personnel Committee. Any request to appeal must be in writing and must be received in the General Manager's office within five (5) working days from receipt of the Notice of Disciplinary Action. Thereafter, a hearing shall be scheduled before the Policies and Personnel Committee as soon as feasible.

FINAL VERSION WITH CHANGES

Following conclusion of the hearing, the Policies and Personnel Committee shall issue a written decision. Either party may appeal the decision to the Board of Directors.

Appeal – Board of Directors

Following a decision by the Policies and Personnel Committee, either party may appeal the decision to the Board of Directors. Any request to appeal must be in writing and must be received in the General Manager's office within five (5) working days from receipt of the decision by the Policies and Personnel Committee. Thereafter, a hearing shall be scheduled before the Board of Directors as soon as feasible. Pursuant to the Brown Act at Government Code section 54957, the appeal shall be heard in closed session unless the employee makes a written request to have the matter heard in open session.

Following conclusion of the hearing, the Board shall issue a written decision. The written decision of the Board shall be final and binding.

Immediate Suspension of an Employee

In the event that an employee's behavior while on duty threatens the health and safety of any person; causes serious damage to public property, is an offense which seriously impedes District operations, or the employee is arrested and charged with disorderly or immoral conduct as defined in Public Resources Code, Section 5164, and any amendment thereto, the General Manager may immediately suspend the employee from his/her duties. The written notice of suspension shall be in writing and delivered to the employee at the earliest possible time considering the circumstances. The suspended employee shall not receive pay during the period of suspension. The employee shall be provided with an opportunity to respond to the suspension without pay prior to it being implemented. If the suspension is affirmed, modified or revoked, the disposition of the salary shall be addressed.

Compulsory Dismissal

Upon receipt of written electronic notification from the Department of Justice of a conviction for a crime defined in the Public Resources Code, Section 5164, and any amendment thereto, the employee shall be terminated automatically and without regard to any other termination procedure. The employee shall be provided with an opportunity to respond to the compulsory termination prior to it being implemented.