

AN ADMINISTRATIVE REGULATION
CLARIFYING ISSUES REGARDING
VERBAL COUNSELING AND WRITTEN REPRIMANDS

Section 1. Purpose

The provisions of Sections 21-7-8 and Sections 21-7-9 set the basic parameters for verbal counseling and written reprimands. Verbal counseling and written reprimands are the first two elements of progressive discipline outlined in Article 7 of the Personnel Rules. Progressive discipline is the subject of Section 21-7-6 of the Personnel Rules.

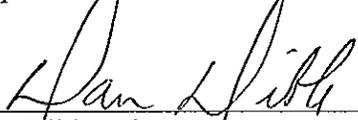
Section 2. Employee Rights Related to Disciplinary Actions

Verbal counseling is intended as the preliminary informal notice that it is the supervisor's perception that the employee needs to be alerted to and be given the opportunity to change undesirable behavior, work practices, etc. Section 21-7-8 of the Personnel Rules does not outline any specific employee rights related to responding to verbal counseling. Verbal counseling is an optional supervisory tool and is not a required prerequisite to any other disciplinary action, as explained in Section 21-7-6 of the Personnel Rules.

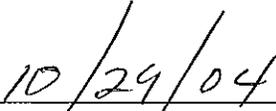
A written reprimand is the first level of disciplinary action options requiring written documentation. The employee has the right to file a written response to the letter of reprimand. A written reprimand is also not a required prerequisite to any other disciplinary action, as explained in Section 21-7-6 of the Personnel Rules.

Section 3. Grievance Procedure Does Not Apply To Verbal Counseling or Written Reprimands

Section 21-10-1 outlines the purpose of the informal grievance process. In this section suspensions, involuntary demotions, and dismissals are specifically mentioned as not being grievable because they are subject to the appeal procedure outlined in Article 7. Verbal Counseling is specifically listed as being not grievable in Section 21-10-3 (g). Section 21-7-9 specifically allows employees to file a written letter of response to a written reprimand. Written reprimands are included in Article 7 as a form of disciplinary actions and all other disciplinary actions are specifically non-grievable. Verbal counseling and suspensions are the disciplinary action options before and after written reprimands in the order of progressive discipline in Article 7 and they are both specifically non-grievable. For these reasons written reprimands are non-grievable and the only option available to employees regarding a written reprimand is the written response allowed in Section 21-7-9 of the Personnel Rules.



Dan Dible, City Manager



Date