
LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

SOP# A-220

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SUBJECT: CODE OF CONDUCT

INDEX AS: CODE OF CONDUCT: DISCIPLINARY PROCEDURES:

EFFECTIVE DATE: 04/27/05 REVISED DATE:

I. **PURPOSE:**

All employees of the Laurens County Law Enforcement Center are members of a team working together with a primary objective of serving the community. Members who fail to follow the necessary rules and regulations governing conduct not only penalize themselves, but do a disservice to all members of the Department. The code of conduct rules are not intended to restrict the privileges of anyone, but are designed to insure the rights and safety of all members and to provide working procedures that will encourage equitable and businesslike conduct.

II. **SCOPE:**

This code of conduct shall apply to all Laurens County Law Enforcement Center personnel acting in an official or an unofficial capacity and shall be in accordance with Policies of Laurens County.

III. **POLICY:**

It is the policy of the Laurens County Law Enforcement Center to administer discipline in fairness to the employee and the agency. Discipline may be administered in a positive corrective or punitive manner. The functions of discipline are:

- A. Positive: Positive discipline is designed to stimulate the morale of the employee. Rewards such as time off with pay, awards and letters of commendation are positive forms of discipline.

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- B. Corrective: Corrective discipline is progressive and include training and counseling. This discipline is appropriate in those cases involving minor duty infractions that can be corrected through proper counseling or training.
- C. Punitive: Punitive discipline shall include the following:
1. Verbal Reprimand: A spoken warning or indication of disapproval concerning a specific act, infraction or violation of a procedure that is usually given by the immediate supervisor and is noted for the record but does not become part of an employee's personnel record.
 2. Written Reprimand: A written statement concerning a specific act, infraction or a policy or procedure that is made part of the employee's personnel record.
 3. Suspension: Placing of an employee on leave without pay status for a specified period, not to exceed thirty (30) working days, for a specific act, infraction or violation of a policy or procedure.
 4. Suspension- Pending Investigation of Charges or Trial : The placing of an employee on leave with pay status for an indefinite period pending investigation of charges and/or trial for job related offenses. If found innocent, the employee shall be re-instated without loss of pay. Any salary due for such period shall equal the employee's normal earnings.
 5. Demotion: The movement of an employee from one position or class to another with a lower grade level assignment.
 6. Dismissal: The removal of an employee from the Department for just cause.

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- D. Corrective and punitive disciplinary actions against an employee shall be initiated promptly when it is evident that such action is necessary to maintain an orderly and productive work environment. Except in cases of theft or serious violations of policy or procedures that create a health or safety risk, disciplinary actions must be progressive in severity.

The severity of the action shall be determined after consideration of the nature and gravity of the offense, its relationship to the employee's assigned duties and responsibilities the employee's work record and other relevant factors.

IV. **RESPONSIBILITY:**

- A. Supervisors at all levels are responsible for the administration of discipline. First line supervisors have the continuing opportunity to observe employee conduct and appearance and must administer discipline where it will be most effective, whether positive, corrective or punitive. First line supervisors are authorized to take the following disciplinary measures.

1. Positive:

a. Letter of Commendation:

Letter of commendation may be presented to officers for their performance in any of the following instances.

1. Employee action results in the arrest of persons for major felonies.
2. Employee action results in the rescue of citizens from personal injury/death.
3. Employee action results in the rescue of another employee from personal injury/death.

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4. Employee has demonstrated personal involvement in Police/Community programs.
 5. Department Supervisors shall submit a written request to the Chief Deputy for a commendation to be given. The incident should be described in detail with the employee's performance and the reason why a commendation is recommended.
2. Corrective:
- A. Counseling: A supervisor should use counseling as a function of discipline in those cases involving minor infractions. Criteria used to determine the necessity of counseling as opposed to other discipline may include:
 1. Employee's past work record (including disciplinary record, attendance, job performance evaluations, etc:)
 2. Employees attitude (toward work place, supervisors and other employees)
 3. The severity of the offense in relation to Departmental guidelines governing offenses.

**Note: Supervisors who utilized counseling as a form of discipline shall document the conditions that prompted the counseling session and the corrective action expected. Results should be forwarded to the Chief Deputy.

3. Training: A Supervisor should use training as a function of discipline in those cases involving minor infractions usually of a procedural nature in

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Departmental Policy. Examples of areas that training may be used as a function of discipline include radio procedures, report writing, firearms qualifications, etc:

Criteria used to determine the necessity of training as opposed to other forms of discipline include:

- a. The effectiveness of training in a particular area to improve productivity;
- b. The ability of the employee to respond to retraining in specific areas.
- c. The employee's work performance record to include attendance, disciplinary records, etc:

****Note:** Supervisors who utilize training as a form of discipline should document the employee's shortcomings, deficiencies or lack of expertise and either take immediate steps to retraining in deficient areas or schedule for training. Documentation shall be forwarded to the Chief Deputy for review.

4. Punitive: A Division Supervisor or higher level supervisor is delegated the authority to immediately relieve an employee from duty if the retention of such employee will cause or continue a disruption of the work force and, within one work day, shall submit a recommendation for appropriate disciplinary action to the Sheriff.

Division Supervisor may bring charges to immediately suspend any employee for the balance of one work day (two work days if the incident occurs on the weekend) under any of the following conditions;

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- a. Employee is intoxicated;
- b. Gross insubordination or misconduct;
- c. Any violation of criminal law;
- d. Gross negligence involving potential loss of life;

****Note:** Division Supervisors who suspend an employee under any of the conditions listed above must notify the Chief Deputy immediately and submit a written report.

In addition to the authority given above, the CHIEF DEPUTY may suspend any employee up to three (3) days without prior approval of the SHERIFF. Any suspension over three (3) days must require approval of the SHERIFF.

V. APPLICATIONS OF DISCIPLINARY MEASURES:

Employees of the Laurens County Law Enforcement Center are expected to abide by and may be disciplined for violation of the Departmental Standard Operating Procedures.

A. PROCEDURES:

1. Disciplinary Actions

a. Role of Supervisor in Disciplinary Actions

1. Supervisors shall inform employees promptly and specifically whenever their performance, attitude, work habits or personal conduct fall below acceptable standards.
2. Supervisors shall provide reasonable counsel and assistance to employees whose work performance or habits have not been acceptable. The source of the problem should be identified, and if possible and warranted, a reasonable period of improvement may be allowed before initiating formal disciplinary action.

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3. Prior to all disciplinary action the supervisor shall conduct an interview with the employee to be disciplined. Interview shall cover the following:
 - a. The nature of the infraction;
 - b. History that is pertinent to the infraction;
 - c. The punishment to be administered.
 - d. Expected changes in employee behavior, including what the supervisor will do to help.
 - e. What will happen if the employee meets those expectations or fails to meet them.

**NOTE: Supervisors do not have to accomplish this interview before on-the-spot suspensions for cause, but where an on-the-spot suspension occurs, such interviews must follow within three (3) working days of incident.

4. Supervisors shall document all cases where oral warnings have been given to an employee noting the date, information, and action taken by the supervisor. A copy of the oral warning information shall be maintained by the immediate supervisor and the action taken shall be discussed with the supervisor's superior.
2. Reprimands: Reprimands shall be oral or in writing, (according to the severity of the infraction) and shall include information as to the nature of unacceptable performance, time, and date of activity, action taken by the immediate supervisor, and any other pertinent data. An oral reprimand shall be documented and given to the supervisor's superior for retention. Copies of the written reprimand shall be distributed as follows:

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- a. Employee involved;
 - b. Chief Deputy for inclusion in the employee's personnel file.
3. Suspensions: An employee may be suspended without pay only by the Sheriff or Chief Deputy. Reasons for suspension include, but are not limited too:
- a. Misconduct;
 - b. Negligence;
 - c. Inefficiency;
 - d. Unauthorized absence (s);
 - e. Inability to perform the required duties satisfactorily;
 - f. Insubordination;
 - g. Violation of any other rules, regulations, code, provisions or charter provisions pertaining to job performance.

****NOTE:** Recommendations for suspensions shall be made by the employee's Division Supervisor to the Chief Deputy or Sheriff. The supervisor's written recommendation shall include the reason for the recommendation, time and date of each incident, action taken by the supervisor, including copies of any oral or written warning or reprimand. The supervisor shall forward a copy of his or her recommendation to the Chief Deputy or Sheriff who in turn, after appropriate consultation, shall render a decision. The Chief Deputy or above making the decision shall advise the affected employee in writing within three (3) working days of the action taken, outlining the charges and reasons for the action. Copies of all correspondence involving disciplinary actions resulting in suspensions shall be handled as indicated in the above.

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4. DISMISSAL: In the case of a failure to report to work, loss of certification including drivers license for jobs requiring vehicle operation and lay offs to accomplish a reduction in the work force, an employee may be dismissed BY THE SHERIFF or the CHIEF DEPUTY .

Reasons for dismissal may include but are not limited to:

- a. Unsuitable for employment by reason of work performance.
- b. Theft and/or destruction of public property.
- c. Failure to report to work.
- d. Gambling on the job.
- e. Excessive and/or consecutive unauthorized absences.
- f. Acceptance of value in consideration for work related favors.
- g. Garnishment based on more than one indebtedness.
- h. Falsification of records.
- i. Fighting on the job.
- j. Insubordination.
- k. Illegal activity.
- l. Political activity prohibited by these regulations.
- m. Under the influence of alcohol/and or non-prescribed drugs while on duty.
- n. Loss of certification required to perform duties. Including drivers license for jobs requiring vehicle operation.

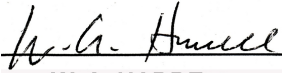
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**NOTE: The supervisor recommending dismissal of an employee shall provide the Sheriff with a complete written document outlining the nature of the grounds for dismissal, the time and date the same occurred, and the action taken, if any, by the immediate supervisor and general supervisor.


W. A. HARRELL
SHERIFF

04/27/2005

DATE