



Office of the Secretary
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SECRETARIAL DIRECTIVE

SUBJECT: Employee Conduct Standards and Discipline

NUMBER: 2020-09

APPLICABILITY: All Department of Corrections employees; except those covered under the Teacher Fair Dismissal Act or School District Personnel Policies

REFERENCE: A.C.A. §§ 25-43-103, 25-43-105, 25-43-108, 25-43-403

ISSUED BY: Signature on file

SUPERSEDES: ADC AD 12-33
ACC AD 18-23 (in part)
ACC AD 18-27
APB AD 19-02 (in part)

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EFFECTIVE DATE: November 9, 2020

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC) it is the responsibility of the Secretary of Corrections to ensure that all employee discipline be administered in a consistent, objective, and good-faith manner. Nothing in these guidelines and procedures limits the Secretary's authority to establish or revise human resource policies. These guidelines and procedures are adopted to guide the internal operations of the Department and its Divisions and do not create any legally enforceable interest or limit the Secretary's or Director's or his/her designee's authority to terminate any employee at will. These guidelines shall be enforced in conjunction with Department or Division level Code of Ethics.

II. PURPOSE:

The purpose of this policy is to establish consistent employee conduct standards and discipline. The conduct standards are intended to identify common problems associated with employee conduct. Discipline should be through progressive actions, where appropriate.

In those situations where an employee's actions adversely affect the security and good order of the agency's operations, progressive disciplinary actions are not required. The Department Secretary, or a Division Director, may intervene in a matter, and increase a disciplinary sanction, when a situation warrants. Progressive discipline also does not apply to employees during their initial probation.

The Human Resource Administrator or designee should be contacted for consultation in applying disciplinary sanctions to avoid inconsistencies where sanctions are not clearly established. In cases of incidents involving the use of Polygraph/CVSA, Retaliation, Sexual Harassment/Discrimination, or Racial Discrimination, the Human Resource Administrator will provide a summary to the DOC Legal Division to discuss any potential issues with the case prior to administering discipline. The Center Supervisor/Area Manager/Warden/Administrator will then be advised of their recommendation.

Divisions that utilize an Employee Review Committee shall establish a written Unit/Facility Policy regarding procedures for that Committee. Those procedures will be filed with the Department's EEO/Grievance Coordinator.

III. DEFINITIONS:

- A. Conduct Standards: Standards of acceptable behavior for Department employees while on or off duty, including but not limited to those found in this Secretarial Directive.
- B. Contraband: Any article, in any amount, the possession of which is prohibited by law, regulation or policy.
- C. Disciplinary Probation: This probationary period is established as a time for the Department to evaluate and help employees correct negative behavior and achieve success.
- D. Initial Probation: Initial employment includes a (1) one-year probationary period upon initial hire with the Department. This probationary period is established as a time for the Department/Division to evaluate and help employees adjust to their new positions. A six-month initial probationary period also applies upon promotion within the Department.
- E. Multiple Violations: Two or more employee conduct violations that are active at the same time, that resulted from separate incidents.
- F. Offender: Individuals under the custody or supervision of a division of the Department of Corrections, including but not limited to: inmates, residents in a community correction center or reentry center, parolees, and probationers.
- G. Personnel File: The official record of employment of all Department staff maintained by the Central Human Resources Office.
- H. Supervisor: Any individual who has the authority, acting in the interest of his/her employer, to take personnel actions including, but not limited to hire, transfer, suspend, promote, demote, discharge, reward, discipline, etc., either by taking the action himself or by effectively recommending it.
- I. Supervisor's File: A record of an employee's performance, including any counseling or verbal warnings, which is maintained by an employee's supervisor. This is not the same as the personnel file, and may contain additional performance and disciplinary records.
- J. Unit: Any correctional facility or center operated by the Department of Corrections.

IV. PROCEDURES:

A. Notice

The Central Human Resources Office or Unit Human Resource Offices will make available the appropriate Administrative Rule and this Secretarial Directive to all employees. Policy dissemination will be documented by the employee by signing an acknowledgment of receipt for the policy. The receipt will be placed in the employee's personnel file. The employee is responsible for reviewing and becoming familiar with the Employee Conduct Standards and Discipline policy. Employees needing further explanation of this policy should seek the assistance of their immediate

supervisor or Human Resources Manager. All employees shall be notified and receive subsequent notice of changes.

B. Responsibilities

1. Employee

- a. To be familiar with and follow conduct standards;
- b. To seek clarification if they do not understand the conduct standards;
- c. To abide by all conduct standards; and
- d. To participate in good faith with administrative investigations into violations of standards.

2. Management

- a. To give proper notice to the employees of any changes in this policy;
- b. To monitor employee conduct to determine compliance with conduct standards and discipline;
- c. To establish and maintain a work environment that helps employees meet the conduct standards; and
- d. To enforce all conduct standards and administer discipline in a consistent, objective, and good-faith manner.

C. Disciplinary Action Generally

Progressive discipline is intended to impose discipline at the level that is commensurate with the offense and progress through the disciplinary grid when further violations of the applicable Standards of Employee Conduct are committed. Progressive discipline also recognizes that some violations of the Standards of Employee Conduct are so serious that the level of discipline imposed may exceed the level recommended on the disciplinary grid. The proximity and repetitive nature of the violations can be grounds to increase the penalty. Consistency in application of the Standards of Employee Conduct is a goal to be achieved through a fair and thorough investigation prior to the imposition of discipline. The consistency being sought does not require management to administer the exact discipline indicated in the Standards of Employee Conduct in every case. When the facts of a case are different and distinguishable, the disciplinary action may vary. However, when the facts are the same or very similar, the discipline imposed must reflect consistency.

The penalty imposed for violating a rule or policy must take into consideration all relevant circumstances. All relevant circumstances taken into consideration when determining a penalty must be clearly stated and well documented. An employee may be disciplined for violating more than one rule or policy arising out of the same incident. In all cases, any mitigating and aggravating circumstances, along with the relationship of multiple offenses, must be considered in determining the level of discipline.

Corrective counseling is an option and should be considered prior to any disciplinary action as well as between various steps of progressive discipline. Corrective counseling is a tool used to

communicate, define expectations, and provide an opportunity to achieve success. Corrective counseling is not discipline; however, it should be documented and placed in the supervisor's file for the counseled employee. To the extent that is reasonable and within the scope of requirements of this policy, employees may be given opportunity to alter negative behavior using constructive corrective action.

D. Penalties

Penalties for violation of standards shall be administered by supervisors in a consistent, objective, good faith, and non-discriminatory manner. Supervisors are expected to use good judgment in determining the seriousness of violations and the disciplinary penalties. Supervisors must document facts in each case and make sure the penalty is appropriate. All circumstances must be considered before taking final action.

1. **Verbal Warning:** A verbal notice to inform the employee that he or she has violated a conduct standard. A verbal warning may be used as the basis for additional disciplinary action later. A more severe disciplinary action may be taken if an equal or more substantial violation occurs within a (6) six-month period from the date of the verbal warning.

Documentation of the Verbal Warning will be placed in the supervisor's employee file. A copy of the documentation should not be placed in the employees personnel file. The employee shall not be placed on probation, as a result, of a Verbal Warning. Upon the employee's written request and the supervisor's approval, documentation of an Verbal Warning may be removed from the supervisor's file after (1) one year from the date of the warning, providing that no other incidents have occurred. When an employee is reassigned to a different supervisor, the supervisor's file will be forwarded to the new supervisor.

2. **Written Warning:** The written notification must inform the employee that a violation of a standard has occurred. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (6) six months from the date of the disciplinary action. A written warning is accompanied by an automatic six (6) month probationary period. A copy of the Written Warning will be placed in the employee's personnel file.
3. **Suspension:** An action to be used for major violations of standards, repeated violations of standards or when management determines that the violation and/or its impact on the job atmosphere or circumstances warrants the immediate removal of the employee for a specified period. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of suspension. A suspension is accompanied by an automatic twelve (12) month probationary period. A copy of the suspension document will be placed in the employee's personnel file.

A recommendation to suspend an employee may be made by the immediate supervisor after a thorough and documented review of the situation, but the final decision to suspend must be made by the appropriate Unit Warden/Administrator/Area Manager/Center Supervisor, or higher official

within the Division or Department. Dates of suspension are to be scheduled generally soon as possible following the imposition of the penalty. Suspension shall be without pay for a minimum of (1) one working day but not to exceed (10) ten working days (80 hours).

In cases where an employee's drivers license is suspended, the suspension could be up to fifteen (15) working days (120 hours). For timekeeping and payroll purposes, the number of hours worked plus the hours suspended will not exceed the number of the employee's regularly scheduled work period.

4. **Demotions:** An action to be imposed against an employee for a serious violation. An employee must be qualified for the position to which demoted. A more severe disciplinary action should be taken if an equal or more substantial violation occurs within (12) twelve months of the date of demotion. Demotion is accompanied by an automatic twelve (12) month probationary period. A copy of the demotion document will be placed in the employee's personnel file. A demotion may be imposed in conjunction with a suspension.

A recommendation to demote an employee may be made by the immediate supervisor after a thorough and documented review of the situation, but the final decision to demote must be made by the appropriate Unit Warden/Administrator/Area Manager/Center Supervisor or higher official within the Division or Department and reviewed by the Human Resource Administrator to ensure an appropriate position placement.

Please note: Re-assignment can occur for non-disciplinary reasons. If re-assignment does not result in a loss of pay, the re-assignment does **not** constitute a disciplinary action.

5. **Termination:** Termination is an action to be used for major violations of a conduct standard affecting the security and good order of departmental operations or when the accumulation of violations has exhausted available disciplinary sanctions up to discharge.

A recommendation to terminate an employee may be made by the immediate supervisor after a thorough and documented review of the situation, but the final decision to terminate must be made by the appropriate Unit Warden, Administrator, Area Manager, Center Supervisor, his designee or higher official within the Division or Department.

E. Documentation

Supervisors are responsible for documenting each disciplinary action taken and forwarding supporting documentation to the appropriate HR Personnel then forward to Central Office. Documented information regarding disciplinary action should not be used as a consideration for further progressive disciplinary actions or other personnel actions after the probationary period has expired. However, the information will remain in the personnel file, unless ordered removed pursuant to the employee grievance process or as a result of an internal investigation concluding that the violation never occurred.

Documentation should be specific and include detailed factual statements. Documentation includes but is not limited to the following information:

1. Standards which have been violated.
2. Disciplinary action taken.
3. Assistance and/or advice given to the employee to bring conduct into acceptable standards.
4. Consequences if standards are not followed.
5. Acknowledgment of Disciplinary Action signed by both the supervisor and employee or a witness.
 - a. If the employee refuses to sign the Acknowledgment of Disciplinary Action form (Attachment #1), a third party shall witness the refusal by signing the appropriate place.
 - b. A copy of the documentation shall be placed in the employee's personnel file, except for verbal warnings.

F. Probationary Period

All disciplinary actions except a verbal warning are accompanied by an automatic disciplinary probation period. A disciplinary probation period will commence on the day an employee receives official notification of disciplinary action. Official notification should be hand-delivered or mailed by certified mail with return receipt requested.

Employees are automatically subject to an initial probationary period during their first year of employment or within six months of promotion. Employees who are disciplined during this initial probationary period who then subsequently cannot adjust, may be terminated. The reason given for the termination shall be submitted in writing to the Unit Human Resource Manager, the employee being dismissed and the Central Human Resource Office. However in lieu of termination, and with written notification, this initial probationary period may be extended by the Warden/Center Supervisor or Division Administrator.

Employees will not be eligible for promotions during any probationary period (disciplinary or initial), except when approved by the Secretary.

G. Violations and Prohibited Conduct

All employees of the Department are expected to abide by the attached standards (Attachment #2) which are established as guidelines to give a measure of consistency in the administering of discipline with the Department. Other conduct standards may be subsequently adopted by the Department. Following each standard are examples of conduct which violate the standard and the disciplinary action which should follow for a typical occurrence.

The standards are intended as a guide for such actions the Department considers unacceptable but are not intended as an inclusive list.

V. ATTACHMENTS:

- #1 Acknowledgment of Disciplinary Action Form
- #2 Acknowledgement of Policy
- #3 Employee Conduct Standards

ARKANSAS DEPARTMENT OF CORRECTIONS

ACKNOWLEDGEMENT OF DISCIPLINARY ACTION

I have reviewed the Employee Conduct Standards with the employee. He/she is aware of the infraction and potential consequences if the action is repeated.

Supervisor Signature

Date

This is to certify that the attached letter, which is being placed in my personnel file, has been discussed with me. I have been given a copy of the attached letter. My signature does not necessarily indicate agreement with the attached letter.

Employee Signature

Date

Employee refused to sign

Witness

Date

NOTE: THIS FORM SHOULD BE COMPLETED FOR ANY LETTER OF FORMAL DISCIPLINARY ACTION. BOTH SHOULD BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE.

ARKANSAS DEPARTMENT OF CORRECTIONS
ACKNOWLEDGEMENT OF RECEIPT OF POLICY

I have been provided a copy (digital or physical) of the Department of Corrections Employee Conduct Standards and Discipline Policy. I understand that it is my responsibility to read and understand this policy. My signature below indicates that I acknowledge receipt of the policy and that I have read and understand the policy.

Employee Signature

Date

Employee Conduct Standards and Prohibited Conduct

The following standards are guidelines created to give a measure of consistency in the administration of discipline throughout the Department of Corrections (DOC). The standards are not an exhaustive list of prohibited conduct. The DOC may adopt and enforce additional standards.

Each conduct standard is labeled numerically and in bold text. Below each standard is a list of conduct which violates the standard, as well as the disciplinary action which should result from a typical occurrence of the conduct violating the standard. Instances which are less or more serious than a typical occurrence of prohibited conduct may be subject to departures from the presumptive disciplinary actions for a prohibited conduct.

The list of prohibited conduct is intended only as a guide in determining which actions the DOC considers unacceptable. Nothing in this list creates any legally enforceable interest or limits the authority of the Secretary or Division Directors to terminate any employee at will.

To determine the presumptive appropriate disciplinary action for a specific prohibited action, locate the conduct on the chart. There are four (4) progressive levels of discipline located to the right of the chart. An X in the column for a level of discipline indicates that the particular level of discipline is recommended for the listed conduct.

Occasionally, an X will be followed by an asterisk (*), which indicates that further guidance regarding that level of discipline should be located in the table cell detailing the prohibited conduct. Supervisors should consider this guidance prior to finalizing any disciplinary decisions.

Standards & Prohibited Conduct		Verbal	Written	Suspension /Demotion	Termination
1	Employees shall conduct themselves in a professional manner. Employees shall be patient, courteous and respectful.				
a.	Loitering, visiting, or excessive personal use of the telephone.	X	X	X	X
b.	Disruptive horseplay or practical jokes, not resulting in injury or property damage.	X	X	X	X
c.	Disruptive horseplay or practical jokes resulting in injury or property damage. <i>Employee may be required to reimburse department for injury or property damage</i>		X	X	X
d.	Use of language or gestures that are inappropriate, insolent, violent, or profane in nature while on duty, in uniform, depicting a Department logo, or on DOC property.		X	X	X
e.	Unnecessary or excessive use of force against a member of the public or another employee.			X	X
f.	Introduction or possession of contraband in any amount within a secured perimeter or a security post of a facility.				X
g.	Unauthorized possession of a cell phone or its components within a secured perimeter or a security post of a facility. <i>*Suspension may only be utilized when the employee did not possess the phone for purposes of illicit behavior</i>			X*	X
h.	Bribery				X
i.	Failure to report an offer of a bribe or gratuity from offenders or anybody working on behalf of an offender.			X	X
j.	Careless or unsafe handling of vehicular equipment. <i>Employee may be required to reimburse the DOC for injuries or property damage</i>		X	X	X
k.	Careless or unsafe handling of a firearm. <i>Employee may be required to reimburse the DOC for injuries or property damage</i>		X	X	X

Standards & Prohibited Conduct		Verbal	Written	Suspension /Demotion	Termination
l.	Unauthorized possession of firearms, explosives, or other weapons during work hours.			X	X
m.	Sexual conduct with staff or the public while on duty, within the secured perimeter of a facility, in DOC office buildings, or in state vehicles.			X	X
n.	Refusal to submit to a polygraph/ voice stress analysis when required by DOC policy.				X
o.	Violation of established uniform dress codes. <i>Employee may be sent home to change attire or appearance</i>	X	X	X	X
p.	Willful destruction of evidence of an employee by converting such evidence to his or her own use, manufacturing, concealing, falsifying, destroying, removing, tampering with, or withholding any property or evidence.				X
q.	Violation of DOC or Division level published policies other than those for which appropriate discipline levels are prescribed in this document. <i>*Severity of discipline depends on severity of the policy violation and the effect on the DOC.</i>	X*	X*	X*	X*
r.	Accepting any gifts, compensation, donations, etc. for services rendered by employees or inmates other than those that may be acceptable under law or policy.		X	X	X
s.	Association or membership in a security threat group - including but not limited to: the Bloods, Crips, Mexican Mafia, and Ku Klux Klan.				X
t.	Purchase of lottery tickets, gambling, or visiting a casino restaurant or store while in uniform or on duty. <i>For purposes of this policy, uniform includes clothing with a logo representing the DOC or any of its Divisions.</i>		X	X	X
u.	Failure to notify supervisor and Human Resources of any changes in telephone and/or address within 72 hours of the change.	X	X	X	X
2	Employees shall always conduct themselves in a manner that reflects favorably on the Department of Corrections, both on and off the job.				
a.	Conduct unbecoming of a public employee- conduct which damages the DOC image as a law enforcement and criminal justice agency, reflects discredit on the character of the employee of the DOC, or impairs DOC operations.		X	X	X
3	Employees shall not engage in inappropriate use of Social Media, including inappropriate use which occurs outside of work. Employees will be held accountable for content appearing on their social networking sites, whether posted by the employee or not.				
a.	Posting content that is inconsistent with a Division's Code of Ethics.		X	X	X
b.	Posting confidential information or information restricted by law, Department policy, or Division policy.		X	X	X
c.	Cyberbullying - using information and communication technologies to support deliberate and hostile behavior by an individual or group with the intention of harming another person.		X	X	X
d.	Posting information or pictures on social media which actually or potentially compromise staff, compromise public safety, undermine operations, or cause disruptions in the workplace.		X	X	X
e.	Posting, transmitting, or disseminating unauthorized information (such as tests, pictures, files, video, audio, etc.) to the internet or any other public or private forum in a matter that discredits or reflects unfavorable on the DOC as a whole.		X	X	X
f.	Creating an unauthorized site or platform that appears to be an official DOC site or platform.		X	X	X

Standards & Prohibited Conduct		Verbal	Written	Suspension /Demotion	Termination
g.	Posting images of agency logos, emblems, badges, and patches which specifically identify DOC in a manner that would lead a viewer to believe that the site or platform is sanctioned by the DOC.		X	X	X
4	Employees shall not violate Arkansas state law prohibiting nepotism. State law prohibits relatives of employees from being placed within the same line of supervision whereby one relative is in a supervisory position over the other or is able to hire, fire, make pay adjustment, or other personnel actions. For purposes of this policy, relative is defined as husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepson, stepdaughter, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece.				
a.	Employee's failure to report his or her relationships violating the nepotism policy. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade			X*	X
b.	Supervisor's failure to take direct action after an employee's report of relationships violating the nepotism policy.			X	X
5	Employees shall not engage in activity which compromises professional relationships and causes a disruption to the work environment.				
a.	Sexual personal relationships between a supervisor and a subordinate.			X	X
b.	Employment relationships between a supervisor and a subordinate outside of DOC employment in which the DOC subordinate is hired by the DOC supervisor in a non-DOC job.			X	X
c.	Participating in hiring or promotional decisions with any applicant or employee with whom there exists an intimate relationship.			X	X
d.	Any business enterprise, partnership, or joint venture between a supervisor or subordinate. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade			X*	X
e.	Engaging in any activity with another employee which compromises professional relationships. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade			X*	X
6	Employees shall: (1) report immediately to their supervisor when unable to be at work or training, (2) get approval prior to being away from duty station, and (3) strictly observe working hours and lunch periods. For purposes of this policy, each action is considered an independent violation. A physician's statement to verify illness may be required by a supervisor at any time, subject to applicable laws.				
a.	Unauthorized absence from work, training, or physical assessment.		X	X	X
b.	Verified misuse of sick leave.		X	X	X
c.	Failure to adhere to work hours or lunch periods.	X	X	X	X
d.	Failure to provide a medical provider's statement when requested.		X	X	X
e.	Failure to call or report to supervisor for three (3) consecutive working days.				X
e.	Failure to log or clock in or out as directed.	X	X	X	X
f.	Clocking in or out for another employee.				X
g.	Abandonment of post or job.				X

Standards & Prohibited Conduct		Verbal	Written	Suspension /Demotion	Termination
7	Employees shall perform job duties at a level commensurate with job specifications, performance standards, and other duties as assigned.				
a.	Unsatisfactory work performance. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade	X	X	X*	X
b.	Unsatisfactory work performance resulting in injury and/or property damage. <i>Employee may be required to reimburse the Department for injuries and/or property damage.</i> *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade		X	X*	X
8	Employees shall abide by the Department's Employee Involved Solicitations Policy. (SD19-06 or successive policies)				
a.	Selling to or solicitation of employees during work time without authorization of the Secretary or Division Director.		X	X	X
b.	Selling to or solicitation of offenders.			X	X
c.	Posting personal items, altering, or removing business notices without authorization of the Secretary or Division Director.	X	X	X	X
9	Employees shall come to the assistance of another employee or offender, including but not limited to aiding a person who is being physically assaulted or when force is being used in a manner inconsistent with Department or Division Policy.				
a.	Failure to respond or assist in situations resulting in or likely to result in physical injury or property damage. *Employee may be required to reimburse the DOC for injuries and/or property damage*			X*	X
10	Employees shall abide by Department and Division Drug Free Work Place Policies. All positions at the Department of Corrections are security sensitive.				
a.	Purchase, use, sale of, or distribution of alcoholic beverages while in uniform or on duty. *Severity of discipline depends on severity of the policy violation and the effect on the DOC.		X*	X*	X*
b.	Reporting to or on duty with an alcohol level at or above .02 but less than .04. *Suspension must be accompanied by a referral to the Employee Assistance Program			X*	X
c.	Reporting to or on duty with an alcohol level at or above .04.				X
d.	Possession (in any amount), use, sale of, or distribution of any illegal drug or drug paraphernalia.				X
e.	Refusing to provide a urine specimen when required, providing an adulterated specimen, or providing or attempting to provide another person's urine.				X
f.	A positive result in a specimen provided by the employee used to identify illegal drug use or unauthorized prescription drug use as determined by the Doc's toxicologist.				X
11	Employees shall be law-abiding citizens. Progression of discipline for conduct with multiple discipline options will depend on the extent of the adverse impact on the DOC, offenders, and/or other employees.				
a.	A conviction, plea of guilty, or plea of nolo contendere to a felony.				X

Standards & Prohibited Conduct		Verbal	Written	Suspension /Demotion	Termination
b.	A conviction, plea of guilty, or plea of nolo contendere to a Class A misdemeanor or any misdemeanor violations of the Omnibus DWI Act. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade			X*	X
c.	A conviction, plea of guilty, or plea of nolo contendere to a misdemeanor that is not a Class A misdemeanor or a violation of the Omnibus DWI Act, including unclassified misdemeanors. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade*		X	X*	X
d.	Failure to report incidents of arrest on felony charges, filing of felony information, issuance of a felony warrant, or indictment on a felony.		X	X	X
e.	Failure to report moving traffic violations in a state or personal vehicle. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade*	X	X	X*	X
f.	Failure to maintain the ability to carry a weapon or drive a state vehicle in positions that are required to do so. *This conduct may result in demotion and/or reassignment, which may result in loss of pay or grade*			X*	X
12	<p align="center">Employees shall maintain a courteous and respectful demeanor in communicating with co-workers, subordinates, offenders, and members of the public. Progression of discipline will depend on the extent of the adverse impact on the DOC, offenders, and/or other employees.</p>				
a.	Discourteous treatment of others.	X	X	X	X
b.	Presumptuous and insulting manner of speech which is rude and disrespectful to employees or members of the public.		X	X	X
13	<p align="center">Employees shall not engage in harassment and/or discriminatory conduct based on a person's race, color, sex, religion, national origin, age, disability, or any other protected class.</p>				
a.	Harassment			X	X
b.	Discrimination				X
c.	Retaliation against employees or offenders who have filed lawsuits or grievances or who have otherwise engaged in protected activity.			X	X
14	<p align="center">Employees shall remain alert and vigilant at all times while at work. For purposes of this policy, sleeping while on duty may be substantiated by firsthand witness testimony or circumstantial evidence which shows that the employee's actions were so significantly failing to meet standards of being alert that there can be no substantive difference between the alleged behavior of one who would be found asleep under the same circumstances.</p>				
a.	Sleeping while on duty not resulting in escape, injury, and/or property damage.			X	X
b.	Sleeping while on duty resulting in escape, injury, and/or property damage.				X
c.	Inattentiveness on duty. Progression of discipline will depend on the extent of the adverse impact on the DOC, offenders, and/or other employees.	X	X	X	X
d.	Failure to inform supervisor when taking medications which may impair performance.		X	X	X

Standards & Prohibited Conduct

		Verbal	Written	Suspension /Demotion	Termination
15	Employees shall exercise reasonable and responsible care of DOC equipment, materials, property, and facilities. Employees shall not possess DOC property without approval from their supervisor.				
a.	Unauthorized possession, misuse, or abuse of equipment, vehicles, materials, property or facilities. <i>Employees may be required to reimburse the DOC for damage or loss</i>		X	X	X
b.	Unauthorized entry into state property, including unauthorized entry outside of assigned work hours.		X	X	X
c.	Unauthorized entry into restricted areas.			X	X
16	Employees shall properly report any injuries of employees or offenders according to Divisional policies.				
a.	Failure or delay in reporting injuries of employees or injuries or illness of offenders.	X	X	X	X
b.	Failure to report a known or suspected PREA incident.			X	X
17	Employees shall perform work assignments within the scope of their (job?) descriptions and follow work requests and instructions by supervisors.				
a.	Failure to perform or carry out work related instructions when such instructions are reasonable, within the employee's ability to perform, and would not pose a safety or welfare hazard to the employee.	X	X	X	X
b.	Insubordination - deliberate refusal to carry out reasonable work requests and/or instructions.			X	X
18	Employees shall give clear, complete, and accurate information in completing applications, work records, verbal statements, written statements, inmate records, investigations, and claims for reimbursement. For purposes of this policy, intentional omission of significant information done with the intent to falsify or deceive is considered falsification.				
a.	Falsifications or work records, employment applications and supporting documentation or other forms or applications.				X
b.	Falsification of written or verbal statements.				X
c.	Fraudulent claims for reimbursements or benefits. * Written warnings and suspension/demotion can only be considered when the employee has admitted to previously falsified information to assist officials engaged in an ongoing investigation.		X*	X*	X
19	Employees shall respect state property and the property of others. Employees shall handle all Department funds as required by the Department and State accounting and applicable budgetary procedures.				
a.	Mishandling Department funds or assets.		X	X	X
b.	Theft of property or mishandling of Department funds or assets for personal gain.				X
20	Employees shall observe rules and regulations regarding confidential information in Department records. Employees shall not use records and other confidential information for purposes other than to conduct Department business. Unauthorized disclosure of ACIC, NCIC, Justice Exchange, eOMIS, and other information may be a criminal offense and subject to prosecution.				
a.	Unauthorized release or disclosure of information, records, or documents- including but not limited to human resource records, offender records, unit security information, recordings, emails, and photographs. <i>*Severity of discipline depends on severity of the policy violation and the effect on the DOC.</i>		X*	X*	X*

Standards & Prohibited Conduct

		Verbal	Written	Suspension /Demotion	Termination
21	Employees shall always maintain a courteous and professional demeanor in their associations with offenders and their families and friends. Employees shall abide by the Department's regulations concerning appropriate relationships between employees and offenders and their families and friends. Unavoidable relationships due to marriage, family relationships, etc. should be reported to a supervisor immediately.				
a.	Engaging in gambling with an offender.				X
b.	Soliciting or accepting a bribe from an offender.				X
c.	Verbal abuse of an offender or his or her family or friends.	X	X	X	X
d.	Unnecessary or excessive force against an offender or his or her family or friends. Disciplinary action can escalate if injury is involved.		X	X	X
e.	Physical abuse used to punish or harass an offender or his or her family or friends.				X
f.	Engaging in sexual contact of any type with an offender or his or her family or friends. Sexual conduct includes, but is not limited to kissing, sexual intercourse, etc. Engaging in sexual conduct with an offender or his or her family or friends may be a criminal offense and subject to prosecution.				X
g.	Entering into a private business relationship or partnership involving financial transactions with an offender or his or her family members, unless the employee is related to the individual with whom the business relationship is entered.			X	X
h.	Development of a non-professional relationship with offenders or their families - including but not limited to sexual relationships, personal letters, phone calls, social media communications, and visiting.				X
i.	Failure to report the incarceration of an immediate or distant family member, friend, or acquaintance after initial employment.	X	X	X	X
j.	Trafficking or unauthorized trading.				X