

**SUBJECT
DISCIPLINARY
PROCESS**

**POLICY NUMBER
3.06**



POLICY MAINTENANCE ADMINISTRATOR: Chief, Bureau of Personnel Services

PURPOSE/SCOPE: To establish policy and procedures for the effective administration of discipline. To establish a process for detection and intake of allegations of criminal misconduct, assignment of responsibility for handling such complaints, and execution of investigative responsibilities ensuring that complaints are handled in a manner that is fair to employees and the residents of the State of Florida.

I. AUTHORITY

Section 20.055 (6), Florida Statutes, Agency inspectors general

Section 110.201(2), Florida Statutes, Personnel rules, records and reports

Section 110.227, Florida Statutes, Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances

Section 112.532, Florida Statutes, Law enforcement officers' and correctional officers' rights

Section 120.53(1), Florida Statutes, Maintenance of orders; indexing; listing; organizational information

Chapter 60L-33, Florida Administrative Code, Appointments and Status

Chapter 60L-36, Florida Administrative Code, Conduct of Employees

II. POLICY

It is the policy of the Department that disciplinary measures be administered to its members only when there is just cause to do so. Management will communicate the standards of conduct expected of all members to prevent unacceptable or undesirable behavior, or behavior counterproductive or contrary to the Department's efficiency, effectiveness or ability to serve the public. Management will ensure that disciplinary measures will be administered in a progressive manner, where indicated, with the objective of modifying or correcting an employee's behavior and assisting the member in achieving the Department's goals.

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 10/09/1994
1 of 2	Revision Date 09/01/2012

STATE OF FLORIDA
Department of Highway Safety and Motor Vehicles

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This policy is applicable to all members, however; the Department is not required to administer discipline under this rule for probationary members, Selected Exempt Service (SES) members or Senior Management Service (SMS) members. Unacceptable conduct from members not permanent in their current Career Service position, SES and SMS members will be dealt with fairly, on a case by case basis.

- A. All members of the Department will acknowledge receipt of this policy and the Standards of Disciplinary Actions and should consult with their supervisor or the Office of Employee Relations (OER) with any questions or concerns.
- B. When a supervisor determines that a member may have violated a disciplinary standard, the supervisor will consult their chain of command and/or OER for guidance. The final decision for the action to be taken is the responsibility of the member's chain of command.
- C. On- or off-duty conduct: Through our policies and procedures, all members are made aware of the responsibility for their conduct both on and off the job. Management will evaluate any serious misconduct committed by a member on or off the job to determine the effect the misconduct has on the member's job duties. Normally, felony offenses committed on or off the job will subject the member to dismissal.
- D. In the event an inquiry or investigation determines that a manager or supervisor has condoned or participated in misconduct which seriously impairs his/her credibility or effectiveness to serve in that capacity, the manager or supervisor will be removed from his/her position. In addition, disciplinary action may be taken.
- E. Chargeable Crashes with Agency Vehicle, Alternative Action: Should a sworn member sustain a third minor crash or a first more serious crash within three years, the member may elect the alternative action of attending a driver's training course which will substitute for the disciplinary action. The alternative action, if selected, is voluntary and will be recorded in the member's official personnel file.

A manual entitled "Disciplinary Procedures" is published by the Bureau of Personnel Services.