

POLICY AND PROCEDURE	
SUBJECT/TITLE:	Employee Discipline
APPLICABILITY:	All Staff
CONTACT TITLE & DIVISION:	Health Commissioner, Administration
ORIGINAL DATE ADOPTED:	12/02/2015
LATEST EFFECTIVE DATE:	12/16/2025
REVIEW FREQUENCY:	Every 5 Years
BOARD APPROVAL DATE:	12/16/2025
REFERENCE NUMBER:	800-006-P

A. PURPOSE

The intent of this document is to specify the policy and procedures outlining employee discipline.

B. POLICY

It is the policy of the Canton City Public Health (CCPH) that all employees are treated fairly and equitably. Work rules and employee expectations will be applied uniformly and consistently. Consideration of unsatisfactory performance and inappropriate conduct will be considered on a case-by-case basis. The nature of a particular employee's job responsibilities may justify different levels of discipline for what would otherwise appear to be similar issues.

C. BACKGROUND

The purpose of this document is to elaborate on section 207.27 of the Canton City Health Code. It will specify the details of the implementation of that section and provide guidance to both supervisors and staff.

D. GLOSSARY OF TERMS

Health Commissioner: As used in this policy, Health Commissioner shall mean the person currently employed by the CCPH as the Health Commissioner, or the person authorized to fulfill those duties if the Health Commissioner is not available.

Supervisor: An employee in a position who has staff reporting to them (i.e., direct-report) and is responsible for the performance evaluation and discipline of direct-report staff. Also includes positions higher in the organizational hierarchy that may be involved in staff discipline. Position titles at CCPH in supervisor roles may include, but are not limited to, the words Supervisor, Manager, Coordinator, or Director.

E. PROCEDURES & STANDARD OPERATING GUIDELINES

Whenever an employee engages in conduct warranting disciplinary action, the employee's supervisor shall address the issue as soon as practicable and, depending on the frequency and seriousness of the conduct, apply any discipline listed below. The Notice of Employee Verbal Correction (Form 800-006-06-F) or the Notice of Employee Disciplinary Action (Form 800-006-03-F) will be used to document the details of the disciplinary action. In all cases, the employee is given a copy of the appropriate form, and a copy is placed in the employee's personnel file. The discipline steps may vary based on the situation, but can occur internally or may be delegated to other departments (HR, Legal, etc.). Findings are shared through disciplinary hearings if applicable. There is no expectation of confidentiality, unless it falls under other protections (i.e., HIPAA). Supervisors and managers are expected to maintain professionalism and discretion at all times, and information related to disciplinary matters

should be shared only with individuals who have a legitimate business need to know and should not be discussed openly or in public settings.

While the disciplinary procedure will generally be progressive, in cases of serious misconduct, the level of discipline imposed may be more severe. Depending on the individual circumstances, steps can be skipped, reduced, or repeated. Discipline may escalate for subsequent violations, even though such violations may be unrelated to or different from the original.

This policy should not be construed as preventing, limiting or delaying the Health Commissioner from taking appropriate disciplinary action based on the facts and merits of the particular case. The supervisor shall make effort to resolve any disciplinary issues with the employee in a positive and productive manner.

1. TYPES OF DISCIPLINARY ACTION:

The purpose of discipline is to ensure that the employee is fully aware of their misconduct, its severity, its impact on the organization and community, and the areas of performance that must be improved. Discipline is also a method of informing the employee of what is expected, thereby enabling the employee to correct performance problems and be restored to being an effective, productive employee. Some situations may require an investigation. Investigation could include placing the employee on paid leave if there are concerns with continuation of work. Or, the situation may be addressed after the supervisor conducts interviews or other investigative actions while the employee continues to work.

a) Employee Instruction and Caution (Verbal Correction)

The employee and the supervisor verbally discuss performance or behavior following an offense in an effort to eliminate possible misunderstandings, improve job performance or to outline what constitutes proper conduct. The supervisor documents the verbal correction on the Notice of Verbal Correction Form 800-006-06-F. The form will be placed in the employee personnel file. A copy should be provided to the employee.

b) Written Warning

The employee receives discipline in the form of a written warning from the supervisor when the supervisor believes that an offense in the first instance is serious enough to warrant such action, following continuing poor job performance or for repeated offenses.

c) Recommendation for Suspension, reduction in pay, or reduction in classification

Suspension without pay, reduction in pay or reduction in classification may occur when the Health Commissioner determines that an employee has failed to correct performance after repeated written warnings, as the result of an accumulation of misconduct, or as a result of a first time serious offense or misconduct.

d) Recommendation for Termination

Termination may occur after the Health Commissioner has made repeated attempts to inform and help an employee correct performance or the employee's unacceptable conduct is of such a serious nature that the Health Commissioner believes there is no practical alternative.

2. DOCUMENTATION

- a) It is important to maintain current and accurate records of any employee discipline following these standards. Documentation of a violated work rule is situationally dependent. Not all complaints must be in writing. A general statement that documents the violation may be helpful in the investigation, but is not required. For discipline that includes written warning, the supervisor shall complete a Notice of Employee Disciplinary Action (Form 800-006-03-F). Such documentation shall briefly state the nature of the employee infraction, the actions taken by the employee and the supervisor to correct the employee behavior and be signed by both the employee and the supervisor. The documentation shall be maintained in the employee's personnel file and a copy provided to the employee.
- b) For discipline that includes time off without pay, suspension, reduction in pay or classification or termination, documentation shall include the Notice of Employee Disciplinary Conference (Form 800-006-02-F), records of any conference proceedings, rulings and Employee Notice of Disciplinary Action. The documentation shall be maintained in the employee's personnel and a copy provided to the employee.
- c) Depending on the nature of the disciplinary action, the employee may be offered or required to participate in a Performance Improvement Plan (PIP) at any phase of disciplinary action. The PIP is a written document outlining performance improvements and goals for the employee that must be achieved within a specified period. The PIP will outline performance goals, behavioral expectations and other measurable objectives for the employee. The PIP will be developed by the supervisor and the employee and documented in writing as part of the Employee Notice of Disciplinary Action (800-006-03-F). The final goals and objectives in the PIP will be determined by the supervisor. The PIP is a binding agreement between the employee and the health district. Failure to achieve the terms of the PIP will result in further discipline, up to and including the possibility of termination.

3. GUIDELINES FOR PROHIBITIVE CONDUCT:

The Health Commissioner reserves the right to discipline employees for violations of established work rules and regulations. The Health Commissioner may treat each occurrence of inappropriate conduct upon its individual merits, without establishing a precedent for the treatment of other cases. The following list of prohibited conduct is not to be construed as an exhaustive list or a limitation upon the retained rights of the Health Commissioner in determining whether conduct is subject to discipline. An employee of the CCPH may receive disciplinary action for any of the referenced behaviors below, for similar inappropriate behaviors, or for any other conduct prohibited pursuant to the CCPH Policies and Procedures, O.R.C. 124.34, City of Canton Employee Work Rules, other applicable laws, or any other applicable rules, regulations or professional standards.

Prohibited conduct includes, but is not limited to:

- a) Unsatisfactory work, failure to maintain required levels of performance, incompetency or gross inefficiency.
- b) Neglect of work, neglect of duty, sleeping on the job, excessive personal phone calls or other inappropriate distractions.
- c) Any criminal acts on CCPH property (including vehicles) or while on scheduled work time.
- d) Any criminal acts that would interfere with the employee's ability to perform their assigned duties (such as the revocation of a required professional license or credential).

- e) Any conduct that places the employee or another person's health or safety at risk, causes physical harm or adversely affects the CCPH's liability.
- f) Trying to perform while unfit for duty.
- g) Excessive absence or tardiness.
- h) The use, sale or possession of alcohol or drugs or unauthorized possession of firearms on agency premises, during work time or during rest periods.
- i) Discourteous, disrespectful, confrontational, abusive, slanderous, libelous, threatening or derogatory behavior or statements toward another employee or toward third parties.
- j) Discrimination or sexual harassment in the work environment or through services provided to the public.
- k) Conduct which adversely affects the reputation or standing of the CCPH.
- l) Dishonest, malicious, immoral, indecent or unethical behavior.
- m) Falsification of records, failure to cooperate on official inquiries or proceedings or collusion for personal gain.
- n) Unethical behavior which results in a conflict of interest or an expectation of preferential treatment.
- o) Unauthorized access, removal, destruction, alteration, release or other misuse of records, confidential information or equipment.
- p) Failure to follow procedures in the HIPAA manual, as well as failure to attend annual HIPAA training.
- q) Inappropriate attire or appearance.
- r) Making or distributing malicious jokes or statements concerning management, other employees or clients, verbally or by use of telephone, FAX or other electronic communication device.
- s) Failure to follow established policies or documented work rules.
- t) Failure to follow generally recognized standards of professional or ethical conduct.
- u) Failure to perform work that is assigned by a supervisor that is within the employee's scope of duties or capabilities.
- v) Misuse of position, stationery or envelopes for personal reasons or non-governmental use.
- w) Performing private work during working hours.
- x) Unauthorized use of CCPH property for private use.
- y) The progressive or persistent demonstration of negative or uncooperative behavior.
- z) Acts of misfeasance, malfeasance or nonfeasance.
- aa) Insubordination.
- bb) Failure to actively comply with and promptly complete a PIP when required by supervision.
- cc) Conduct in violation of any Federal, State or Local laws that may have an adverse effect upon the reputation, operation, ability to perform required work or programs of the CCPH.
- dd) Initiating or in any way participating in horseplay that can be considered offensive to another individual or damaging to property.
- ee) Failure to follow work orders or any other instructions given when an employee has been placed upon paid administrative leave.
- ff) Offenses not specifically enumerated herein, as well as any violation of the Canton City Health Code, City of Canton employee work rules, codified ordinances, state or federal laws, or any policy or standard practice of CCPH.

This list **is not** all-inclusive. It is subject to being periodically supplemented by the Health Commissioner or their designee.

4. PAID ADMINISTRATIVE LEAVE

If the alleged employee infraction is of a nature that continued access to work or other employees is likely to result in damage to the health district, or harm to staff, clients or others, the employee may be placed on paid administrative leave pending a disciplinary conference pursuant to the following process:

a) Determination of Paid Administrative Leave

Health Commissioner: The supervisor shall immediately notify the Health Commissioner of a serious infraction by any employee that may warrant the employee being placed on paid administrative leave. The decision to place an employee on paid administrative leave will be made in an effort to:

- i) Prevent harm to staff, clients or others;
- ii) prevent further serious violations of work rules;
- iii) assure the integrity of data and confidentiality; or
- iv) any other serious infraction as determined by the Health Commissioner.

b) Notice

- i) If it is determined that paid administrative leave is necessary, the employee shall be immediately notified in writing using the Notice of Employee Disciplinary Conference (Form 800-006-04-F) signed by the Health Commissioner. The service of the notice shall be in person or by registered US Mail, return receipt. Failure of the employee to cooperate with the delivery of this notice will result in further disciplinary action. If needed, the assistance of other staff or a police officer may be used to deliver this notice to the employee.
- ii) The employee shall immediately surrender any keys and access key cards for CCPH facilities and be escorted from the premises by a supervisor. Assistance may be requested from other staff or a police officer. The employee shall not attempt to enter the premise while on paid administrative leave except under the terms of the Notice of Paid Administrative Leave or other written authorization by the Health Commissioner.
- iii) As soon as possible, employee access to email, network and other computer resources shall be revoked.
- iv) Other employees should be notified of this action as soon as practicable by email or other means, if necessary.

c) Employee Responsibility

- i) The employee shall promptly follow all instructions and limitations stated in the order placing them on paid administrative leave.
- ii) While on paid administrative leave, the employee shall be readily available to receive phone calls, notices, instructions and any correspondence during normal working hours. The employee may be instructed to pick up notices and other communications in person at the health district administrative offices while on paid administrative leave. Any delay by more than four hours to respond with any requests under this section will be considered as further grounds for discipline.

5. DISCIPLINARY CONFERENCE

Whenever an employee is subject to disciplinary action which may result in time off without pay, reduction in pay or classification, suspension or termination, a disciplinary conference shall be held pursuant to the following procedure.

a) Consultation with Law Department

The Canton City Law Department should be consulted prior to any employee disciplinary conference that may result in the reduction of pay, classification or termination.

b) Presiding Officer

A disciplinary conference that may result in time off without pay, reduction in pay or classification, suspension or termination will be conducted by the Health Commissioner or their designated representative. The designated representative may be an employee of the health district or from outside of the health district (such as the Canton City Law Department).

c) Notice of Employee Disciplinary Conference

The employee will be provided with a written notice of the conference stating the date, time, location and an outline of the alleged infraction for the disciplinary action. (Notice of Employee Disciplinary Conference – Form 800-006-04-F) The notice shall be provided to the employee at least 24 hours prior to the conference date and time. The service of the notice should be in person or by certified US Mail, return receipt. The employee must cooperate in accepting this notice. Failure to accept the notice will subject the employee to further disciplinary action.

i) An employee may:

- (1) Appear at the conference in person to offer an oral or written statement.
- (2) Appear with a representative to present an oral or written statement.
- (3) Elect, in writing, to waive their right to a disciplinary conference.

ii) Representation

The employee does not have an absolute right to legal representation at the disciplinary conference. However, the employee or the health district *may* elect to have legal representation at this conference. The employee will not be granted a continuance for the disciplinary conference because of attorney or representative conflict with the scheduled conference date and time.

d) Disciplinary Conference Scope and Procedures

- i) This is an informal administrative conference and does not adhere to the normal rules of civil procedure. The scope of the conference is to determine if there is cause to discipline an employee based on the facts presented by the health district to the presiding officer. It is the health district's responsibility to present the facts of the case in a fair, truthful and honest manner. The employee may elect to present testimony, witnesses, documents or other material which explain the alleged conduct. It is the employee's responsibility to notify any witnesses they request to be present.
- ii) The Health District, through the appropriate supervisor, has the responsibility to document the alleged infractions of work rules in a manner sufficient to prove that the infraction did occur. The supervisor will be responsible for the development of the case including the documentation of previous Employee Notice of Disciplinary Action, written statements, examples of written or other work, or witness statements.
- iii) CCPH reserves the right to make an audio or video recording of the proceedings of the conference. A written transcript will not be prepared for the conference. If the employee desires to have a written transcript, the employee shall be responsible for the cost of such transcript.

e) Ruling

- i) The presiding officer shall consider the preponderance of evidence and testimony submitted by the parties in light of applicable policies, statutory requirements, prior discipline, mitigating

circumstances, the nature and seriousness of the offense and its impact upon the CCPH and the community.

- ii) The presiding officer shall prepare a written summary of the disciplinary conference and a recommendation as to whether there is just cause for discipline (form 800-006-05-F). A copy of the summary will be provided to the Health Commissioner, supervisor and the employee within five working days from the conference. A copy of the summary shall become part of the employee's personnel file.

6. IMPOSITION OF DISCIPLINE

- a) If the manner of discipline does not result in time off without pay of more than three days, reduction in pay or classification or termination, then the Health Commissioner shall decide the level and manner of discipline that will be imposed upon the employee.
- b) If discipline includes a reduction in pay, reduction in job duties to a lower position classification, imposition of time off without pay for more than three days or termination, then the Health Commissioner shall make a recommendation to the Board of Health as soon as practicable. The employee may request to be present when the recommendation is made to the Board of Health.
- c) In lieu of Board of Health action, the employee may be offered an agreement to accept the discipline recommended by the Health Commissioner. Such agreement shall be in writing, be signed by the Health Commissioner and the employee and shall contain provisions that waive the employees right of appeal to the Board of Health (Form 800-006-07-F).

7. NOTICE

- a) The employee shall be notified in writing of any discipline using the Notice of Employee Disciplinary Action (Form 800-006-03-F) signed by the Health Commissioner. The service of the notice should be in person or by registered US Mail, return receipt. Failure of the employee to cooperate with the delivery of this notice will result in further disciplinary action. If needed, the assistance of other staff or a police officer may be used to deliver this notice to the employee.
- b) If the discipline includes time off without pay or termination, the employee shall immediately surrender any keys and access cards for CCPH facilities and be escorted from the premises by a supervisor. Assistance may be requested from other staff or a police officer. The employee shall not attempt to enter the premise while on leave except under the terms of the Employee Notice of Discipline or other written authorization by the Health Commissioner.
- c) As soon as possible, employee access to email, network and other computer resources shall be revoked.
- d) Other employees should be notified of this action as soon as practicable by email or other means, if necessary.
- e) If discipline results in a reduction in pay, reassignment to a lower classification, time off of greater than three days or termination, a copy of the notice shall be sent to the Civil Service Commission of Canton.

8. COMPLIANCE

- a) The employee shall promptly follow all instructions and limitations stated in the order placing them on leave.
- b) If on leave, the employee shall be readily available to receive phone calls, notices, instructions, and any correspondence during normal working hours. The employee may be instructed to pick up notices and other communications in person at the CCPH administrative offices while leave. Any delay of more than

48 hours to respond with any requests under this section may be considered as further grounds for discipline.

9. RECORDS

- a) All disciplinary documentation will be placed in the employee's personnel file and retained indefinitely or in compliance with the retention policy of such records.

10. EMPLOYEE RIGHTS AND APPEAL

- a) Employees have the right to file a written appeal with the Canton Civil Service Commission within ten (10) days of the filing of the disciplinary order, in accordance with Health Code Section 207.27(a). The Commission will hear the appeal or appoint a trial board within the timeframe required by the Health Code and may affirm, modify, or disaffirm the Board's action. In cases of removal or reduction in pay for disciplinary reasons, either party may further appeal to the Court of Common Pleas as provided under Ohio Revised Code 119.12.
- b) Disciplinary actions not covered by HC 207.27(a) are handled administratively by the Board as outlined in Health Code 207.27(b) and do not include a right of appeal. All such actions must be documented and signed by the Board.

F. CITATIONS & REFERENCES

Ohio Revised Code: 124.34 Reduction in Pay, Suspension, or Removal
Canton City Health Code: 207.27 Reduction in Pay, Suspension, or Removal
CCPH Record Retention Policy

G. CONTRIBUTORS

The following staff contributed to the authorship of this document:

1. Amanda Archer, Health Commissioner
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3. Division Leadership Team
4. Canton City Law Department
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H. APPENDICIES & ATTACHMENTS

800-006-01-A_Example – Notice of Administrative Leave
800-006-02-A_Example – Notice of Disciplinary Hearing

I. REFERENCE FORMS

800-006-03-F_Notice of Employee Disciplinary Action
800-006-04-F_Notice of Employee Disciplinary Conference
800-006-05-F_Summary and Findings of Employee Disciplinary Conference
800-006-06-F_Notice of Employee Verbal Correction
800-006-07-F_Employee Acceptance of Discipline in lieu of Board Action

J. REVISION & REVIEW HISTORY

Revision Date	Review Date	Author	Notes



Public Health
Prevent. Promote. Protect.

Canton City Public Health

Canton City Public Health
All Staff
FINAL

11/13/2025		Diane Thompson	Added Verbal Correction form. Updated language to support processes in Human Resource (HR).
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K. APPROVAL

This document has been approved in accordance with the "800_001_P Policy Development" procedure as of the effective date listed above.