


**COUNTY OF IMPERIAL
DEPARTMENT OF BEHAVIORAL HEALTH SERVICES**

POLICY AND PROCEDURE MANUAL

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| SUBJECT: Compliance Enforcement | POLICY NO: 01-104 |
| SECTION: Administration | EFFECTIVE DATE: 7-15-21 |
| REFERENCE: | PAGE: 1 of 2 |
| | SUPERSEDES: 5-16-06 |
| AUTHORITY: Behavioral Health Director as the Local Mental Health Director and Alcohol and Drug Administrator | APPROVED BY:  |

PURPOSE: To establish guidelines for the enforcement of compliance policies and procedures.

NOTES: County Ordinance Section 3.32.020 is included as Attachment I.

POLICY: Employees will comply with applicable laws, regulations, and departmental policies. Failure to comply will subject the employee to disciplinary action.

Progressive disciplinary methods established by the County of Imperial will be utilized in the enforcement of the Compliance Program's policies and procedures established by ICBHS. The county's progressive disciplinary actions consist of the following (per County Ordinance Section 24451):

1. Verbal Warning
2. Written Reprimand
3. Demotion
4. Suspension
5. Dismissal

Intentional or reckless noncompliance may subject an employee to more aggressive disciplinary action.

Disciplinary action may be imposed when an employee's negligent or irresponsible conduct results in his or her failure to detect a violation. Disciplinary action may be imposed for an employee's failure to responsibly report a known violation, or if an employee attempts to impede an investigation.

Managers and supervisors may be sanctioned for failure to adequately instruct their subordinates, or for failure to detect non-compliance with applicable policies and legal requirements where reasonable diligence on the part of the manager or supervisor would have led to the discovery of any problems or violations and given the department the opportunity to correct them earlier.

Disciplinary actions will be imposed by the Director in consultation with the Human Resources Department, managerial staff, and the Compliance Officer to ensure discipline is fair, equitable, and consistent.

Chapter 3.32

DISCIPLINARY PROCEDURES

Sections:

- 3.32.010 Purpose and intent.**
3.32.020 Types of disciplinary action.
3.32.030 Cause for disciplinary action.
3.32.040 Department heads appointed by the board of supervisors serve at the pleasure of the board.
3.32.050 Pregnancy and childbirth.
3.32.060 Employee suspensions in excess of sixty calendar days.

3.32.010 Purpose and intent.

It is the intent of the board of supervisors that uniform disciplinary standards should apply to all county employees and that the forms of disciplinary action, and the due process procedures in connection therewith, be clearly set forth. This chapter shall not, however, have application to those departments covered by the State Merit System. (Prior code § 24450)

3.32.020 Types of disciplinary action.

The following types of disciplinary action may, with sufficient cause, be invoked by department heads or by supervisory personnel authorized to administer disciplinary action;

A. Verbal warning: a private interview between department head or his or her designee, and an employee for the purpose of informing the employee of his or her failure to meet prescribed standards of performance or conduct.

B. Written reprimand: a formal letter signed by the department head and served upon the employee personally or by certified mail specifying how the employee's conduct or performance has failed to meet prescribed standards.

C. Demotion: a change of employment without intervening loss of working days from a position allocated to a given salary range to a position of a different class allocated to a lower salary range.

D. Suspension: the immediate summary removal of an employee from his or her job for a period not exceeding sixty (60) calendar days.

E. Dismissal: the permanent involuntary separation of an employee from county employment and rights attendant thereto. (Prior code § 24451)

3.32.030 Cause for disciplinary action.

The causes justifying disciplinary action against a county employee shall include, but not be limited to, the following:

- A. Immoral or unprofessional conduct;
 - B. Deliberate or repeated absence from duty without authorization;
 - C. Dishonesty;
 - D. Incompetence;
 - E. Evident unfitness for service;
 - F. Physical or mental condition unfitting him to discharge his or her duties;
 - G. Violation of or refusal to obey reasonable regulations prescribed by the board of supervisors or by the department head;
 - H. Conviction of a felony or a crime involving moral turpitude;
 - I. Neglect;
 - J. Insubordination;
 - K. Continued absence after exhaustion of sick leave, compensatory overtime, vacation and leave of absence;
 - L. Improper political activity which constitutes a violation of federal or state laws or ordinances of the county of Imperial;
 - M. Neglect or wilful damage to public property or waste of public supplies or equipment;
 - N. Falsifying information on employment application, personnel records or county records;
 - O. Gambling on county premises;
 - P. Drinking or possessing any alcoholic beverage on county premises or on county time;
 - Q. Reporting to work while under the influence of alcohol or drugs;
 - R. Sleeping on duty.
- (Prior code § 24452)