

**EASTON POLICE DEPARTMENT
ADMINISTRATIVE ORDER
CHAPTER 5: COUNSELING AND DISCIPLINE**

	Title: Progressive Discipline		Number: 05-3
	Effective: December 29, 2011	Revised: Oct. 1, 2016	General Order #16-008
	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amends	Notes: Replaces Administrative Manual Chapter 5-3.0 (12-11)	
Authority: _____ <div style="text-align: center;">Chief of Police</div>			Total Pages: 3

5-3.0 PURPOSE

The purpose of this General Order is to establish guidelines for progressive disciplinary action to be utilized by supervisors while managing their members.

5-3.1 DEFINITIONS/ABBREVIATIONS

ADP	Alternative Disciplinary Process
LEOBR	Law Enforcement Officers Bill of Rights

5-3.2 FORMS

Form 14	Record of Employee Conference
Form 24	Complaint Against Personnel
Form 46	Job Observation Record
Form 46A	Job Observation Record – Employee Comments

5-3.3 POLICY

Progressive discipline is intended to provide a process for supervisors to manage members in a manner that supports the Department’s mission and values. This continuum provides a progressive approach to keep members focused and productive, while deterring unwanted behavior.

5-3.4 PERFORMANCE APPRAISAL DOCUMENTATION

1. Performance Appraisal Documentation is a non-disciplinary measure.
2. Supervisors will:
 - a. Document member’s work performance and behavior on a Form 46 - Job Observation Record.
 - b. Review performance appraisals with members to ensure the mission and values are supported.
 - c. Members are permitted to make comments on the Form 46A - Job Observation Record – Employee Comments.

5-3.5 PERSONNEL COUNSELING

1. Personnel counseling is a non-disciplinary measure.
2. Supervisors will:
 - a. Document performance and provide guidance to correct behavior not supporting the Department's mission and values.
 - b. Use a Form 14 - Record of Employee Conference, to document counseling sessions.
 - c. Offer suggestions on how to achieve and support the mission and values.
 - d. Encourage the member to offer suggestions to improve their behavior and performance.
3. Personnel counseling procedures are outlined in Administrative Order 5-9.

5-3.6 ALTERNATIVE DISCIPLINARY PROCESS (ADP)

1. ADP is a disciplinary measure.
2. Commanders may offer ADP and members have the option to accept or reject ADP.
3. Complainant or supervisory information alleging minor misconduct by a member not supporting the mission or values can be presented to the member without a formal investigation.
4. For ADP, a member agrees the minor misconduct occurred and wants to resolve the issue by immediately accepting the disciplinary action recommended by the commander.
5. A member not accepting ADP must understand that an investigation will be conducted to determine if misconduct has occurred.
6. ADP procedures are outlined in Administrative Order 5-11.0.

5-3.7 SUMMARY PUNISHMENT

1. Summary punishment is a disciplinary measure.
2. Commanders may offer summary punishment when:
 - a. Facts which constitute the minor violations are not in dispute.
 - b. The offense is a minor violation of departmental rules and/or regulations.
 - c. The officer waives the right to a formal hearing provided for in LEOBR.
 - d. The officer accepts the punishment offered by his commander.
 - e. The proposed punishment does not exceed three days suspension without pay or a fine of \$150.00.
3. If a law enforcement officer is offered summary punishment in accordance with LEOBR and refuses:
 - a. the chief may convene a hearing board of one or more members; and
 - b. the hearing board has only the authority to recommend the sanctions provided in this section for summary punishment.
 - c. If a single member hearing board is convened:
 1. the member need not be of the same rank as the law enforcement officer; but
 2. all other provisions of LEOBR apply.
4. Summary punishment procedures are outlined in Administrative Order 5-12.

5-3.8 HEARING BOARD

1. Behavior contrary to Department rules and regulations may be cause for administrative charges.
2. Officers are entitled to a hearing as provided by the LEOBR.

3. Penalties may include, but are not limited to:
 - a. Written reprimand.
 - b. Loss of paid leave (i.e., annual, personal, or holiday)
 - c. Fine.
 - d. Suspension.
 - e. Temporary loss of police powers.
 - f. Demotion.
 - g. Dismissal.
 - h. Other action which is intended as a punitive measure.

5-3.9 PROBATIONARY EMPLOYEES

1. Probationary officers are not entitled to LEOBR provisions, unless there is an allegation of brutality.
2. A probationary member's Commander will strive to correct inappropriate behavior through supervision.
3. If disciplinary action is taken, Commanders shall:
 - a. Document the behavior on a Form 24 - Complaint Against Personnel.
 - b. Present the completed form to the member and have the member sign the form.
 - c. Select a penalty with concurrence of the member's immediate supervisor.
 - d. Ensure the case file is reviewed by the Deputy Chief of Police.
4. The Chief of Police shall have final disposition in all cases.