



# GROUNDNS FOR DISCIPLINARY ACTION

PM-38-02

## Section: 38-00, DISCIPLINE AND APPEALS

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Employees of City of Memphis Government, who fail to abide by established rules, are subject to disciplinary action. Disciplinary action may be taken for, but not limited to the following:

1. The employee has violated a provision set forth in City of Memphis Personnel Manual Policies and Procedures or provision set forth by the employee's Division or department.
2. The employee has violated a lawful or official regulation or order, or refused to accept an assignment from an authorized supervisor and the failure to obey amounts to insubordination.
3. The employee is incompetent, inefficient, and unprofessional in demonstrated work performance of their assigned job duties.
4. The employee's conduct and/or behavior toward citizens, public charges, vendors, contractors, management personnel, fellow employees, etc., had been offensive, inappropriate, and fail to maintain satisfactory and harmonious working relationships.
5. The employee has made a false statement of material fact in connection with the employee's job, including falsification of City records.
6. The employee has solicited and/or taken a bribe, a fee, a favor, or a gift in the course of work, or in the connection with work.
7. The employee has caused substantial damage to public property and waste of public supplies.
8. The employee's physical or mental condition is such that the employee is incapable of performing the assigned duty task, or the employee's condition endangers the employee's personal safety, that of other employees, or members of the public.
9. The employee violated the City's drug-free work place policy by reporting to work under the influence of alcohol or drugs, or partaker of such on the job or on City property either on or off the employee's regular duty hours.



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10. The employee is in possession of unauthorized fire arms or lethal weapons on the job or on City property either on or off employee's regular duty hours, such items may not be on the person, an assigned City vehicle and/or equipment, such as lockers, toolboxes, etc., nor in or on any personal items that are brought on City property, such as clothing, briefcases, lunchboxes, etc.
11. The employee has misappropriated City funds, appropriated City property for personal use, illegally disposed of City property, removed or destroyed City records, or has taken, borrowed, or removed City property, regardless of size and/or cost from City premises without proper authorization.
12. The employee has revealed confidential information gained from official records or conversation.
13. The employee participates in an unlawful act of City property either on or off the employee's regular duty hours or in the course of employment.
14. The employee is privy to information that an unlawful act has taken place on the job or on City property either on or off the employee's regular duty hours and fails to notify the employee's designated supervisor of such an act.
15. The employee has been convicted of a felony or a misdemeanor involving moral turpitude.
16. The employee has intentionally falsified any City record, including the employee's employment application.
17. The employee has either on or off the employee's regular duty hours engaged in employment activities, or enterprises that are inconsistent, incompatible, or in legal, technical, or moral conflict with the employee's assigned duties, functions, and responsibilities.
18. The employee refused, without reasonable justification, to perform assigned work before or after the employee's regular working hours when directed to do so by the employee's designated supervisor.



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19. The employee has either directly or indirectly offered a gift or a fee in connection with an examination and/or test given for promotion or lateral transfer either for the employee's personal benefit or for the benefit of any other employee.
20. The employee has made false claim for leave benefits.
21. The employee is absent without authorized and/or notice to the designated supervisor.
22. The employee is sleeping on the job during assigned work hours.
23. The employee has hindered the regular operation of City of Memphis Government and/or the employee's Division or department because of excessive absenteeism regardless of the cause of the excessive absence.
24. The employee is habitually tardy in reporting to the assigned work location, or is frequently absent from duty during the employee's prescribed work hours.
25. The employee has violated prescribed safety rules and regulations set forth by City of Memphis Government and/or safety rules and regulations set forth by the employee's Division or department.
26. The employee has caused an excessive number of accidents resulting in personal injury, injuries to others, or damage to property.
27. The employee has operated a City-owned vehicle or other vehicle utilized in the service of the City in wanton disregard for the safety of others.
28. The employee, whose position requires the operation of a motor vehicle in the performance of the employee's assigned duties, has lost driving privileges and/or required proper driver's license by revocation or suspension.
29. The employee has been refused a bond when applied for as a qualification of employment, or the employee's surety or other bond, which is a job requirement, has been rejected or revoked.



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**30.** A supervisor, who has knowledge that an employee under their supervision has violated any policies set forth by City of Memphis Government, and who fails to take appropriate action, shall be subject to disciplinary action up to and including termination.

None of the aforementioned will be deemed to prevent the dismissal, demotion, suspension, or other disciplinary action of an employee for just cause. Just cause shall exist when the employer has a reasonable basis for the action taken even though such cause is not contained among those mentioned above.