

UW Whitewater Police



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I. Purpose

The purpose of this directive is to outline a basic system of corrective discipline to handle employee disciplinary matters.

II. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) to utilize a system of discipline that is prompt, resolute, fair, and consistent in its efforts to correct employee conduct.

III. Definition

Formal Discipline: Completed in conjunction with UW-Whitewater Human Resources (Human Resources).

Informal Discipline: Completed internally to correct minor infractions.

IV. Procedure

A. General Orders, Policy, Rules and Regulations

1. All employees of UWWPD are expected to know and observe the General Orders of the Department. Additional law, policy, rules and regulations are outlined in statute, System policies, University policies and Supervisory orders.
2. Employees are expected to abide by all laws and other items which effect and apply to their position.

B. Authority to Discipline

1. The authority and responsibility to initiate discipline rests with first line supervisors who have the best opportunity to detect inappropriate conduct and recommend appropriate corrective action.
2. Remaining members of an employee's chain of command may also initiate recommendations for discipline; however, the Chief of Police, or designee, must authorize any formal discipline.

C. Administering of Discipline

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1. Any supervisory member may administer discipline on behalf of the Chief of Police. Supervisory members may initiate counseling and/or corrective retraining for minor violations.
2. All recommendations for formal discipline are to be forwarded up the employee's chain of command for approval prior to actual administration of disciplinary action.
3. If formal discipline procedure is initiated UW-Whitewater Human Resources (Human Resources) should be contacted to discuss the merits of the situation and appropriate procedures.
4. Types of informal discipline include: Verbal correction and informal counseling.
5. Types of formal discipline include: Formal training, written reprimands, or disciplinary suspensions, demotions and dismissals.
 - a. For formal discipline, the supervisor completing the investigation will complete a report and send it to a second supervisor for final review, with a discipline recommendation, to make sure the process is as fair as possible.
 - b. For severe cases that may result in termination or suspension, the report will be sent to the Chief of Police for review and their formal discipline recommendation.
 - c. All formal disciplinary investigations will be conducted in consultation with Human Resources.

D. Verbal Correction

1. Supervisors should adopt a philosophy of training subordinates rather than punishing them in response to isolated policy violations, particularly in regard to minor violations. In many cases, a formal response to a violation may not be appropriate. An employee may unknowingly violate a policy due to lack of experience or training, misunderstanding, or misinterpretation of the policy. In such cases when the employee's attitude, demeanor and lack of prior issues indicate a lack of understanding rather than a clear disregard for regulations, supervisors may consider verbal correction.
2. All supervisors have the discretion to administer verbal correction for violations which would normally result in a warning or less for the first violation.
3. Multiple minor violations or violations which would normally result in a reprimand, or more serious sanction, should be handled in a formal manner as outlined by UW-Whitewater Human Resources Guidelines. Minor violations which clearly show a conscious and overt disregard for policy should be sanctioned in a formal manner.
4. Verbal correction should be on-the-spot, spontaneous, situational, and used to correct minor infractions. Verbal correction should provide correction and direction to the employee which would encourage proper behavior in the future. Verbal correction may be used in combination with other sanctions in accordance with this policy.
5. Documentation of verbal correction(s) will be kept in internal UWWPD personnel files.

E. Informal Counseling

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1. Supervisors are responsible for providing appropriate counseling when there is a recognizable problem with an employee's performance or behavior. Effective counseling provided in a timely manner can avert the need for more stringent disciplinary actions by correcting inappropriate conduct.
2. When counseling is administered, the following will be discussed and documented:
 - a. Purpose of counseling;
 - b. Possible solutions to solve problem; and
 - c. Personnel expectations after counseling.
3. Documentation of informal counseling will be kept in internal UWWPD personnel files.

F. Formal Training

1. When the causes of inappropriate member conduct or job performance is identified as a misunderstanding of the rules or regulations, formal training is encouraged.
 - a. Formal training is provided by individuals outside of the Department.
 - b. It may be appropriate to enroll the individual in a training session conducted by Human Resources or an outside vendor.
2. Formal training should not be the sole action taken for disciplinary reasons. Formal training should be used in conjunction with verbal correction or above.
3. Documentation of formal training will be kept in internal UWWPD personnel files.

G. Written Reprimand

1. A written reprimand is intended to bring to an employee's attention the need to improve his/her performance, work habits, or behavior when previously issued corrective action has not brought about the intended change or the current offense is a more serious offense.
2. Written reprimands must be documented and implemented in accordance with internal department policies and UW System Work Rules.
3. Human Resources should be contacted to discuss the merits of the situation and appropriate procedures.
4. Documentation of written reprimand will be kept in internal UWWPD personnel files, and Human Resources personnel file.

H. Disciplinary Suspensions, Demotions, and Dismissals

1. Disciplinary suspensions, demotions and dismissals are serious forms of corrective action reserved for repeated violations of departmental regulations or the most serious of violations.
2. When a suspension, demotion, or termination action is being proposed, Human Resources should be contacted to discuss the merits of the situation and appropriate procedures.
3. Documentation of suspensions, demotions and dismissals will be kept in internal UWWPD personnel files, and Human Resources personnel file.

I. Selection of Appropriate Discipline

1. The corrective action designations set forth in this General Order are intended to serve only as guidelines or recommendations. Nothing herein should be construed

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to restrict the Department from taking more severe or lenient corrective action in any given instance where the circumstances warrant.

2. The Chief of Police, and designated persons acting on his authority, reserve the right to apply to any violation of policy the maximum corrective actions required to ensure compliance by the individual and avoid future violations by others.
3. In determining the corrective action to be taken in each offense, and whether a deviation from the progressive discipline principle is warranted, consideration will be given to, among other things, the severity of the offense and the time interval between violations.
4. In some cases, the circumstances surrounding the violation may make the normal progressive discipline steps inappropriate. A minor violation may be committed with such blatant disregard for safety, policy, protocol, etc., that a more severe sanction would be appropriate. Conversely, a seemingly serious violation of policy may have been committed without malicious intent, and a more moderate sanction other than what is recommended may be appropriate.

J. Communication

1. Employees shall be notified as to why they are in formal or informal disciplinary process and provided with appropriate information throughout the process.
2. If the disciplinary process is the result of a formal complaint, supervisors will follow General Order 52.1.1 Complaint Investigation for all formal complaints made against an employee of UWWPD.
3. Probationary, LTE and student employees are not afforded the same levels of due process as full-time employees. Human Resources should be consulted when formal disciplinary action is intended.

K. Due Process: Disciplinary actions taken by the Department must be in compliance with the due process requirements of Human Resources or UW System policy.

L. Representation

- a. An employee may designate a representative of their choosing to be present at any formal disciplinary meeting and/or hearing.
- b. Prior to a formal disciplinary meeting and/or hearing, all communications regarding discipline will be with the university staff employee unless the employee states in writing all communication must go through their designated representative.
- c. During the formal meeting and/or hearing, the representative has the right to observe and take notes, ask clarifying questions, serve as an advisor to the employee, explain significance of points made by the employee or employer, and speak about practices at the work site.
- d. The representative has no right to speak for the employee in response to questions.
- e. If a representative and/or advisor is selected by an employee who is an attorney, the employee must provide Human Resources with notice at least 48 hours in advance of the meeting.

M. Confidentiality Statement

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1. Employees may be issued an order of confidentiality requiring an individual to not discuss any formal disciplinary investigation the employee is involved in with anyone else.
2. If this expectation is implemented, the written *Confidentiality Expectation During Administrative Investigation* document will be given to the employee.
 - a. The issuing supervisor will sign, date the document and require the individual to sign as an indication of receipt only.
 - b. The order does not prevent discussion of the disciplinary investigation with their selected representation or legal representatives whom will be directly responsible for the preparation and defense of the individual's case.

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Attachment A. Confidentiality Expectation During Administrative Investigation

Confidentiality Expectation During Administrative Investigation

You are ordered to not discuss this investigation with anyone. You may discuss your involvement, statements, actions, other appropriate details or knowledge you have as it relates to this investigation with your legal representative(s) or appropriate representative(s) but only those whom will directly represent you or prepare an aspect of your case. You may not speak to those not involved in these areas. The intent of this order is not to impede your ability to be represented, prepare your defense or hamper an appropriate representative's investigation. Any questions you may have to the appropriateness of whom you may discuss this investigation with are to be directed to the investigation supervisor.

_____/_____/_____ ____/____/_____ _____ ____/____/_____
Employee Date Supervisor Date

Signature represents receipt only.