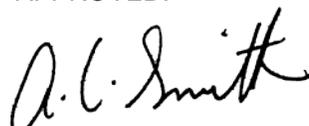




SUBJECT: <b>Standards of Employee Conduct</b>	PAGE <u> 1 </u> OF <u> 2 </u> .
	NUMBER: <b>31-SEM-02</b>
RULE/CODE REFERENCE: ORC 124.34	SUPERSEDES: 31-SEM-02 dated 05/01/16
RELATED ACA STANDARDS:	EFFECTIVE DATE: <b>September 3, 2019</b>
	APPROVED: 

**I. AUTHORITY**

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

**II. PURPOSE**

The purpose of this policy is to provide written guidelines and notify all employees regarding the written rules of conduct that specify prohibited behavior and penalties.

**III. APPLICABILITY**

This policy applies to all persons employed by the Ohio Department of Rehabilitation and Correction (ODRC).

**IV. DEFINITIONS**

None

**V. POLICY**

All persons employed by the Ohio Department of Rehabilitation and Correction (ODRC) are expected to conduct themselves in a professional, law-abiding manner. All employees must follow the Standards of Employee Conduct. Failure to comply with the Standards of Employee Conduct shall result in discipline, up to and including removal.

**VI. PROCEDURES**

A. Upon employment, all employees shall receive a copy of the Standards of Employee Conduct. Employees shall sign a Standards of Employee Conduct Certificate of Information Received form (DRC1225) acknowledging that a copy of the standards was received. The Certificate of Information Received form is to be maintained within the employee’s personnel file.

It is the responsibility of the employee to familiarize themselves with the contents of the standards.

- B. It is the responsibility of the ODRC Bureau of Labor Relations to review and update the Standards of Employee Conduct as needed. All employees are to receive a copy of updated or revised Standards of Employee Conduct. Upon receipt of updated or revised Standards of Employee Conduct, all employees shall sign a new Standards of Employee Conduct Certificate of Information Received form (DRC1225) stating that a copy of the standards was received. The Standards of Employee Conduct Certificate of Information Received form (DRC1225) is to be maintained within the employee's personnel file.
  
- C. When a violation of the Standards of Employee Conduct is suspected, it is the responsibility of the appointing authority/designee to follow the procedures set forth for investigating suspected violations and to follow through with the disciplinary process if such action is warranted.

**Attachment**

Standards of Employee Conduct

**Related Department Forms:**

Standards of Employee Conduct Certificate of Information Received

DRC1225

**EFFECTIVE SEPTEMBER 3, 2019**

**OHIO DEPARTMENT OF REHABILITATION AND CORRECTION**

**STANDARDS OF EMPLOYEE CONDUCT**

**PURPOSE**

The purpose of this document is to provide written notice to all employees of the Ohio Department of Rehabilitation and Correction of the Department's standardized rules of conduct that specify prohibited behaviors and associated penalties for engaging in those behaviors. All Ohio Department of Rehabilitation and Correction employees are subject to these standards. These standards are consistent with the Ohio Revised Code (ORC) 124.34 and the collective bargaining agreements between the State of Ohio and the respective unions. While ORC 124.34 sets forth the statutory provisions governing the conduct of state employees exempt from collective bargaining, the collective bargaining agreements provide the terms and conditions under which unionized employees may be held accountable for misconduct.

The rules, herein promulgated, apply uniformly to all employees of the Department with the exception of those serving in an initial probationary period. Employees serving in an initial probationary period, while subject to the standards, but may be removed from their position for a violation of any rule.

**RESPONSIBILITIES**

The Managing Officer, Appointing Authority or designee of each facility or office or the Deputy Director of the Division of Parole and Community Services or designee has the primary responsibility for ensuring the Standards of Employee Conduct are provided to and acknowledged by their respective employees. Labor Relations Officers or those designated with labor-relations responsibilities within the Department shall ensure the Standards of Employee Conduct are distributed to all employees, including new hires. In addition, they shall provide requested advice and assistance on the Standards of Employee Conduct to all employees.

Personnel Officers or those designated with human resources responsibilities within the Department shall maintain within each employee's personnel file proof of receipt of the Standards of Employee Conduct.

## **PERSONAL CONDUCT**

The Ohio Department of Rehabilitation and Correction has a reasonable expectation that all employees will conduct themselves in such a manner that their activities, both on and off duty, will not adversely affect their ability to perform their duties as public employees for the Department. Department employees must recognize their persons, property, and vehicle are subject to search at any time and that they have no expectations to privacy in their desks, lockers, offices, e-mail, cell phones, electronic devices or anything introduced to the worksite by the employee.

While performing duties in work locations belonging to the Department or in work locations other than those of the Department, employees will conduct themselves professionally and in accordance with Departmental work rules and policies as well as adhering to the work rules and policies of other locations. Examples of other work locations are, but not limited to, hospitals, community service projects, other governmental facilities or offices, etc. Employees should display a professional and courteous demeanor and be appropriately responsive when interacting in-person, over the phone or by any other electronic/computer means with offenders, inmate visitors, victims, volunteers, contractors, applicants or other members of the general public.

It is essential to the orderly operation of a correctional system that employees conduct themselves in a professional manner. Employees shall recognize the limitations of their authority and at no time use the power of their position for personal gain or advantage. Sexual conduct with an inmate or anyone under the supervision of the Department is a criminal act pursuant to the Ohio Revised Code. The Department will refer and pursue all cases for criminal prosecution.

Below are some illustrative examples of behaviors that the Department will not tolerate in a correctional environment. These are examples and are not intended to be all inclusive.

1. Attendance – The Department is a twenty-four hour a day, seven day a week operation with a mission that is dependent upon employees reporting for work. The abuse and misuse of leave results in excessive costs to the employer such as overtime to cover for absent employees. The Standards of Employee Conduct contain a series of attendance-related violations, which are intended to address the various attendance-related issues.
2. The use, possession, conveyance, or unauthorized distribution of illegal drugs, narcotics, or controlled substances is prohibited at all times. The use of alcoholic beverages while on duty or being under the influence of alcohol or drugs while on duty are prohibited.

3. Employees shall not, without the express authorization from their Appointing Authority, show partiality toward or become physically, emotionally, or financially involved or establish a pattern of social fraternization with inmates, releasees, or offenders under supervision of the APA or any other individual currently under supervision of the Department, or with any individual within 6 months following their release from custody or from supervision of the Department or families of same. Employees of the Adult Parole Authority are also prohibited from engaging in any of the above activities with any individual under the supervision of any other criminal justice agency.
  - A. An employee shall not show favoritism, give preferential treatment, receive or offer or give to any inmate, releasee or offender under supervision of the APA, or any individual currently under the supervision of the Department, or with any individual within 6 months following their release from custody or from supervision of the Department or a member of his/her family, or to any person known to be associated with him/her, any article, favor, or service which is not expressly authorized in the performance of the employee's duties or that which conflicts with or appears to conflict with the employee's duties.
  - B. An employee shall not visit an inmate, releasee or offender under supervision of the APA, while such an individual is under the custody and control of the Department, unless such visit is given prior approval by the employee's Appointing Authority, or the visit is part of the employee's job duties. Any employee seeking such authorization must indicate on the visitor's application that he/she is an employee of the Department.
  - C. An employee who becomes involved in a set of circumstances as described above must immediately advise his/her supervisor in writing. The supervisor is then responsible for immediately informing the Appointing Authority.
4. The Department will not permit brutality, physical violence, abuse, patient abuse, or intimidation of inmates, releasees or offenders under the supervision of the APA, and/or their families, by any employee. Any force used upon an individual in the care or custody of the Ohio Department of Rehabilitation and Correction shall be in accordance with the Administrative Regulations and any other policy, directive, procedure or post order which deals with the use of force.
5. The Department will not tolerate the use of obscene or verbally abusive language by any employee toward inmates, releasees or offenders under the supervision of the APA, or families of same. Employees will conduct themselves in a courteous and cooperative manner and will not demean any individual under the custody and control of the Department, other staff members, contractors, visitors and members of the general public.

## **SOCIAL MEDIA**

Use of social media is not permitted on state computers or while on state time unless special permission is granted. Having a personal social media account is permissible; however, it is not permissible to represent yourself on your social media page as a representative of the Department. This includes a prohibition from posting pictures of yourself in the Department uniform, from using the Department logo or any other items that would suggest to the casual observer that you represent the Department. Employees are prohibited from sharing confidential and/or proprietary information on-line and are prohibited from posting or displaying comments or pictures about fellow employees or the Department that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the Department's policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status or characteristic.

## **RESPONSIVENESS**

Inattention to duty in a correctional environment can result in escapes, assaults and other incidents. Employees are expected to remain fully alert and attentive at all times while on duty and to follow all orders and directives given by supervisors. Promptly responding to such orders is imperative to the safety of communities and the security of institutions, facilities and offices operated by the Ohio Department of Rehabilitation and Correction where inmates, releasees or offenders under supervision of the APA are housed, supervised, or report, or any location wherein those under the supervision of the Department are carrying out work assignments. Failure to appropriately respond to situations jeopardizes the safety and security of institutions, facilities and offices as well as the lives of staff members, inmates, releasees, offenders and members of the public. It is mandatory and expected that all employees will follow local policies, procedures, and work rules which dictate when response is necessary.

## **ILLEGAL ACTIVITIES**

The Ohio Department of Rehabilitation and Correction is responsible for the confinement and supervision of offenders until their release from custody in order to perpetuate social order and ensure public safety. The very nature and purpose of the Department demands that employees be held to the highest standards of conduct at all times, including personal and business affairs. An employee's visibility to the public, as well as to those entrusted to the Department's supervision, requires the display of exemplary conduct at all times.

Illegal conduct on the part of any employee, whether on or off duty, in addition to being unlawful, reflects upon the integrity of the Department and betrays the trust and confidence placed in it by the public. It is a reasonable expectation that employees will not only obey the letter of the law but the spirit of the law, whether

engaged in personal or official activities. In the event any employee is arrested for, charged with (including receiving a summons to appear in court), or convicted of any felony or misdemeanor, is required to be a defendant in any court action, or is incarcerated, that employee shall immediately notify his/her Appointing Authority. In the event the Employer pursues disciplinary action against an employee for such conduct, a reasonable nexus (tie) to job performance must be established.

### **CONVEYING OR TRAFFICKING IN CONTRABAND**

For purposes of this document, contraband is defined as “any” article which is intended for the unauthorized use or possession of any offender or which is prohibited by law or which Department policy prohibits from being carried onto the grounds of any institution, detention facility or office under the control of the Ohio Department of Rehabilitation and Correction. The introduction of contraband into or upon the grounds of any institution or office, or taking or attempting to take contraband there from, or otherwise trafficking in contraband without the knowledge and consent of the Appointing Authority of such institution is prohibited. Examples of contraband which could be intended for an offender’s unauthorized possession or use include, but are not limited to letters, stamps, tools, paper, food, messages, cards and money. Examples of contraband, which are prohibited by law (ORC Section 2921.36), include firearms, knives, explosives, ammunition, drugs, alcoholic beverages, cellular telephones, two-way radios and other electronic communication devices. The use, possession or conveyance of tobacco into an institution is prohibited.

### **INVESTIGATIONS**

All Department employees are required to immediately report to their Appointing Authority or designee any violation or attempted violation of any law, regulation, act, or omission by any person, which may result in a breach of institutional security or jeopardizes the safety of others.

The Appointing Authority or his/her designee will investigate all allegations of misconduct. Where appropriate, investigations will be coordinated and conducted by the Office of the Chief Inspector and/or other appropriate agencies. During the course of any official investigation, employees are under an affirmative duty to cooperate fully with investigators by answering all inquiries truthfully and by providing any and all pertinent information of which they possess. Failure by any employee to answer any inquiry truthfully, fully and to the best of the employee’s knowledge shall be grounds for disciplinary action, up to and including removal from employment.

## **CONFIDENTIALITY**

The Ohio Department of Rehabilitation and Correction employees have access to official and confidential information ranging from personal identifying information of both staff and inmates to information concerning safety and security. Because of the varying degrees of sensitivity, employees may only access, use and release official and confidential information as required in the performance of their job duties or upon specific authorization from an individual with delegated authority to release such information. The Director or designee in the Operation Support Center and the Appointing Authorities or their designees in the institutions are the only individuals authorized to release such information.

## **PUBLIC INFORMATION**

The Ohio Department of Rehabilitation and Correction has an obligation to supply official information in response to requests from organizations or individuals. If assistance in making this determination is necessary, please contact Legal Services. To ensure the proper use of official information, the following procedures are established:

- A. Authorized individuals will not be denied access to official information.
- B. Staff members will not use, or release for use, official information for private purposes unless this information is available to the general public.
- C. Staff members will not remove from file, or make copies of records or documents, except in accordance with established procedures or upon proper authorization.
- D. No staff member will make statements or release official information that could breach security of an institution or unduly endanger any person.
- E. Former staff members will only be granted access to information that is available to other members of the general public. They shall have no greater standing than members of the public, irrespective of their past employment and associations developed during the course of such employment.

## **GOVERNMENT PROPERTY**

Employees shall only use government property, including but not limited to automobiles, supplies, equipment, computers, e-mail accounts, internet/intranet access, telephones, and facilities, for official purposes. Employees must immediately report any loss, misplacement, theft, damage, or destruction of government property to his/her supervisor. Employees shall only use Ohio Department of Rehabilitation and Correction shooting ranges for training, certification or re-certification. Persons other than Ohio Department of Rehabilitation and

Correction employees may only use department shooting ranges pursuant to a memorandum of understanding with the department.

Ohio Department of Rehabilitation and Correction credentials, identification cards or badges, shall not be used to coerce, intimidate or deceive others either to obtain or attempt to obtain any privilege, article or service not otherwise authorized in the performance of official duties.

## **OUTSIDE EMPLOYMENT**

An employee shall not have a direct or indirect financial interest or other interest that conflicts with or appears to conflict with his/her government duties and responsibilities. This would prohibit acceptance of consideration, without approval of the Appointing Authority, from a person or organization doing business with the Ohio Department of Rehabilitation and Correction. All outside employment and income producing rental property must be reported in writing to the employee's Appointing Authority or designee for approval.

Additional information on the issue of conflict of interest may be found in Chapter 102 and section 2921 of the Ohio Revised Code. Copies of these provisions are available for inspection in the Personnel Office or through the State of Ohio website.

## **SCHEDULE OF RULE VIOLATIONS AND PENALTIES**

The attached Disciplinary Grid is a standardized list of offenses and associated penalties for determining appropriate discipline for violations of the Standards of Employee Conduct. The offenses listed are not intended to be all-inclusive. All offenses and associated penalties allow the Appointing Authority to consider circumstances which may mitigate or aggravate a penalty. The penalties imposed for violating a rule or rules are determined by considering all relevant mitigating and aggravating circumstances. An employee may be disciplined for violating more than one rule arising from the same incident. In all cases, the Department will adhere to the principals of "just cause" when contemplating employee discipline.

Under the Standards of Employee Conduct, there are two separate "tracks" for progression of discipline. A track of discipline is defined as the grouping of offenses that will be considered as same and similar in nature. There is an attendance-related track (titled "Absenteeism Track" on the attached grid) where all violations of rules related to attendance are grouped together for progressive discipline purposes. Additionally, there is a performance-based track (titled "Performance Track") where standards of conduct related to the performance of duties and responsibilities connected to employment with the Department are found. The tracks are separate and

distinct for discipline purposes. The continued violation of Departmental work rules within the same track shall lead the employee through progressive discipline.

## **PROGRESSIVE DISCIPLINE**

The purpose of the providing standardized penalties for offenses is to provide a measure of consistency in application and progression of disciplinary actions. This consistency, however, does not require that the Employer must administer the exact same level of disciplinary action specified in the Standards of Employee Conduct the same way in each and every instance. Each instance of a violation of the Standards of Employee Conduct turns on its own facts and distinguishing variables such as prior disciplinary history, length of time since the last discipline and mitigating or aggravating circumstances. The Standards of Employee Conduct are designed to impose progressive discipline in either the Absenteeism track or the Performance track. Example: An employee previously disciplined for a first offense violation in one of the tracks is now faced with a second violation, but for a different rule violation within the same track. In this example, the employee can reasonably expect the penalty for the newest violation will be imposed at the second offense level on the grid for that rule.

The Appointing Authority shall consider the similarity and proximity in time of offenses when contemplating employee disciplinary action. The Department may repeat disciplinary penalties for repeat violations of a similar nature when offenses occur in close proximity in time.

For bargaining unit employees, the collective bargaining agreements specify the time period in which discipline continues to have force and effect. Exempt employees shall have their disciplinary records removed from their personnel file pursuant to OAC 123:1-46-07. A request may be made by an exempt employee to the Director of the Department of Administrative Services for removal of disciplinary records from their personnel file. For unionized and exempt employees, any new disciplinary actions prior to the end of force and effect of existing disciplinary actions will serve to extend the length of time those existing disciplinary actions have force and effect on an employee's record. This shall apply to both disciplinary tracks. Further, any disciplinary action on one track shall serve to extend the force and effect of existing disciplinary actions from the other grid.

Corrective counseling, while not considered discipline in accordance with the collective bargaining agreements, may be used by the Appointing Authority. Such use of corrective counseling does not preclude further disciplinary action. The Department reserves the right to immediately address employee conduct in addition to pursuing disciplinary action. It may be used prior to any disciplinary action being imposed as well as in between the stages of progressive discipline. Ultimately, the proper application of the Standards of Employee Conduct

Policy will ensure that when discipline is assessed, it is commensurate with the offenses and the employee's record with the Employer.

The Ohio Department of Rehabilitation and Correction is committed to maintaining a drug-free workplace. The employer recognizes that chronic substance abuse is an illness and considerations may be made by an Appointing Authority in determining disciplinary action for an employee who is participating in a substance abuse program. Consideration may also be given to an employee who elects to participate in the Employee Assistance Program. The Department will adhere to respective collective bargaining agreement procedures and state policies and procedures for imposing discipline in cases of employee substance abuse in or outside of the workplace.

**PENALTIES WITHIN THE DISCIPLINE PROCESS**

The following penalties, as referenced in the attached disciplinary grid, will be utilized to impose discipline. Penalties imposed will be consistent with applicable laws and collective bargaining agreements. Type and level of penalty may be limited by a collective bargaining agreement. Employees covered by the-OCSEA contract are not subject to fines. No member of OCSEA, SCOPE/OEA or SEIU/District 1199 will be subject to a fine, suspension or working suspension greater than 5 days. The OCSEA contract further defines a minor suspension or working suspension as a 1-day suspension or working suspension; a medium suspension or working suspensions as a 2 to 4-day suspension or working suspension; and major suspension or working suspension as a 5-day suspension or working suspension.

WR	Written Reprimand
WR or 1	Either a Written Reprimand or a 1 Day Fine, Suspension or Working Suspension
WR or 2	Either a Written Reprimand or 2 Day Fine, Suspension or Working Suspension
WR or 1 or R	Either a Written Reprimand or a 1 Day Fine, Suspension or Working Suspension or a Removal
WR to 2 or R	Any discipline between a Written Reprimand to a 2 Day Fine, Suspension or Working Suspension or a Removal
WR to 5 or R	Any discipline between a Written Reprimand to a 5 Day Fine, Suspension or Working Suspension or a Removal

1	Either a 1 Day Fine, Suspension or Working Suspension
2	Either a 2 Day Fine, Suspension or Working Suspension
2 or R	Either a 2 Day Fine, Suspension or Working Suspension or a Removal
5	Either a 5 Day Fine, Suspension or Working Suspension
5 or R	Either a 5 Day Fine, Suspension or Working Suspension or a Removal
10 or R	10 Day Suspension or Working Suspension or a Removal
10 to R	Any discipline between a 10 Day Suspension or Working Suspension and a Removal
R	Removal

Note: The term “day” as used in the Standards of Employee Conduct will be calculated on the employee’s number of regularly scheduled hours for the particular day. For example, employees who work four, ten-hour days in a week may receive a one-day fine, suspension or working suspension, which would be the equivalent of ten hours.

If the violation calls for a discipline that involves a choice between the levels of discipline listed, one of the two levels of discipline will be imposed. For those violations that carry a range of penalties as indicated, for example WR to 2 or R, this means that the penalty imposed may range from a written reprimand up to a 2 day fine, suspension or working suspension or a removal. In addition, demotion is a proper form of discipline for all employees unless a collective bargaining agreement prohibits such action.

# DISCIPLINARY GRID

## ABSENTEEISM TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
1.	Any violation of ORC 124.34-... and for incompetency, inefficiency, unsatisfactory performance, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of such sections or the rules of the Director of Administrative Services or the commission, or any failure of good behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office.	WR to R	5 to R	R		
2.	<b>TARDINESS</b>					
	A. Failure to report for duty at scheduled starting time	WR	1	2	5	R
	B. Failure to attend/stand roll call when required or to clock-in ten (10) minutes prior to the start of shift when required.	WR	1	2	5	R
3.	<b>ABSENTEEISM</b>					
	A. Failure to work specific hours or shifts when required (mandatory overtime or in-service training).	WR or 1	2	5	R	
	B. Failure to notify a supervisor of absence or to follow call-off procedure.	WR or 1	2	5	R	
	C. Failure to submit a completed Request for Leave or any payroll or timekeeping forms to include, but not limited to timeclock adjustment forms and overtime forms, within the specified time.	WR or 1	2	5	R	
	D. Pattern Abuse	WR or 1	2	5	R	
	E. Failure to provide documentation of absence when required.	WR or 1	2	5	R	
	F. Failure to provide physician's verification when required.	WR or 1	2	5	R	
	G. Leaving the work area/post/facility without the permission of a supervisor.	WR or 1	2	5	R	
	H. Misuse of sick leave	WR or 1	2	5	R	
	I. Excessive absenteeism/abuse of leave.	WR or 1	2	5	R	
	J. Unauthorized overtime	WR or 1	2	5	R	
4.	<b>AWOL and Job Abandonment</b>					
	A. Being absent without proper authorization or having insufficient leave to cover all or part of the absence for three (3) days or less, to include being late for work more than one (1) hour	WR or 1	2	5	R	
	B. Being absent without proper authorization or having insufficient leave to cover all or part of the absence for more than three (3) consecutive days but less than six (6) consecutive days	2	5	R		
	C. Being absent without proper authorization or having insufficient leave to cover all or part of the absence for more than six (6) consecutive days	5 or R	R			
	D. Job Abandonment – being absent three (3) or more consecutive workdays without proper notice	R				

## DISCIPLINARY GRID

### PERFORMANCE TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
5.	Purposeful or careless act(s) which result in one or more of the following:					
	A. Loss	WR or 1	2	5		R
	B. Damage, loss or misuse of Property of the State to include but not limited to vehicles and telephone.	WR or 1	2	5		R
	C. Damage, loss, or misuse of property to include, but not limited to property of any employee, any individual under the supervision of the Department or a member of the general public.	WR or 1	2	5		R
	D. Unsafe act	WR or 1	2	5		R
	E. Delay in work production	WR or 1	2	5		R
	F. Damage, loss, or misuse of state owned or leased computers, hardware/software, e-mail, internet access/usage.	WR or 1	2	5		R
6.	Insubordination: Disobedience or inappropriate delay in carrying out a direct order of a supervisor.	2	5		R	
7.	Failure to follow post orders, administrative regulations, policies, or written or verbal directives.	WR or 1	2	5		R
8.	Failure to carry out a work assignment or the exercise of poor judgment in carrying out an assignment.	WR or 1	2	5		R
9.	Felony conviction with or without a nexus to the workplace or a conviction of a misdemeanor committed while at work or with a nexus to the workplace.	R				
10.	Sleeping on duty	2 or R	5 or R		R	
11.	Inattention to duty	WR or 1	2	5		R
12.	A. Making obscene gestures or statements, or false, abusive, or inappropriate statements.	WR or 2	5		R	
	B. Uncooperative behavior or discourteous treatment of the public, volunteers, contractors, any individual under the supervision of the Department or fellow employees.	WR or 2	5		R	
13.	Improper conduct or acts of discrimination or harassment on the basis of race, color, sex, age, religion, national origin, disability, sexual orientation, gender identity or military status.	2 or R	5 or R		R	
14.	Theft	5 or R	R			
15.	Engaging in political activities in violation of ORC 124.57	5 or R	R			
16.	Misusing official position for personal gain, to include but not limited to the accepting or soliciting of bribes in the course of carrying out assigned duties.	2 or R	5 or R		R	
17.	Failure to report accidents or unsafe work conditions.	WR or 1	2	5		R
18.	Threatening, intimidating or coercing the public, volunteers, contractors, any individual under the supervision of the Department or fellow employees.	2 or R	5 or R		R	

## DISCIPLINARY GRID

### PERFORMANCE TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
19.	Striking, fighting or otherwise engaging in a physical altercation with the public, volunteers, contractors or fellow employees.	2 or R	5 or R	R		
20.	Involvement in horseplay:					
	A. With the public, volunteers, contractors or fellow employees.	WR or 1	2	5		R
	B. With any individual under the supervision of the Department.	2 or R	5 or R	R		
21.	A. Unauthorized access, use, release or misuse of information.	WR or 1 or R	2 or R	5 or R		R
	B. Unauthorized access, use, or purposeful release or misuse of statutorily confidential information, including but not limited to law enforcement, medical, security documents, etc.	5 to R	R			
22.	Falsifying, altering, or removing any document or record.	2 or R	5 or R	R		
23.	Interfering with or failing to permit an official search of person or property.	2 or R	5 or R	R		
24.	Interfering with, failing to cooperate in, or lying in an official investigation or inquiry.	2 or R	5 or R	R		
25.	Failure to immediately report a violation of any work rule, law, or regulation.	WR or 1	2	5		R
26.	Failure to immediately report any personal arrest or incarceration or criminal charge or conviction or disposition of criminal charges, including voluntary or involuntary participation in a diversion program, or being under investigation or sanctioned by a licensing or professional board or being the subject of a court issued protection order.	2 or R	5 or R	R		
27.	Failure of a supervisor to properly supervise or enforce work rules or failure to properly process employee payroll forms.	WR or 1 or R	2 or R	5 or R		R
28.	Loss of control or failure to properly secure any instrument that could result in a breach of security or jeopardize the safety of others, to include but not limited to:					
	A. Class "A" tools, keys, communication devices, etc.	WR or 1 or R	2 or R	5 or R		R
	B. Weapons (to include, but not limited to a state issued or authorized firearm or OC)	2 or R	5 or R	R		
	C. Failure to have a state issued or authorized firearm immediately available or properly secured as required by policy.	2 or R	5 or R	R		
	D. Failure to carry equipment or identification as required by policy.	WR or 1	2	5		R

## DISCIPLINARY GRID

### PERFORMANCE TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
29.	Purposeful or inappropriate display of weapons, batons, chemical munitions, explosives or facsimiles thereof.	WR or 1 or R	2 or R	5 or R	R	
30.	While on duty or on state owned or leased property the:					
	A. Conveyance, distribution, possession, or consumption of alcoholic beverages and/or drugs of abuse.	R				
	B. Unauthorized conveyance, distribution, misuse or possession of weapons, restraints, batons, chemical munitions, explosives, ammunition or facsimiles thereof.	R				
	C. Unauthorized conveyance, distribution, misuse, or possession of other contraband.	2 or R	5 or R	R		
	D. Unauthorized conveyance, distribution, use or possession of tobacco.	2 or R	5 or R	R		
31.	Promotion of gambling or gambling on state owned or leased property.	WR or 1	2	5		R
32.	A. Participation in a work stoppage or other cessation or disruption of services, either in full or in part (e.g. sick out, slowdown, en masse refusal to work overtime, etc.).	2 to R	R			
	B. Organizing, leading, coordinating, promoting or planning a work stoppage or other cessation of services as defined in Rule 32A.	R				
33.	Misuse of state or federal funds.	5 or R	R			
34.	Knowingly, punching/swiping or electronically recording the time record of another employee or having one's time record altered by another employee without employer authorization.	2	5	R		
35.	The posting or removal of any matter on a bulletin board without authorization.	WR or 1	2	5		R
36.	Any act or failure to act that could harm or potentially harm the employee, fellow employee(s) or a member of the general public.	2 or R	5 or R	R		
37.	Any act or failure to act that could compromise or impair the ability of an employee to effectively carry out his/her duties as a public employee to include, but not limited to, being removed from duty due to having a blood alcohol level at or above .02% and below .04%.	2 or R	5 or R	R		
38.	Any act, or failure to act, or commission not otherwise set forth herein which constitutes a threat to the security of the facility, staff, any individual under the supervision of the Department, or a member of the general public.	2 or R	5 or R	R		
39.	Any act that would bring discredit to the employer.	WR or 1 or R	2 or R	5 or R		R
40.	Use of excessive force toward any individual under the supervision of the Department or a member of the general public.	2 or R	5 or R	R		

## DISCIPLINARY GRID

### PERFORMANCE TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
41.	Unauthorized actions, a failure to act, or a failure to provide treatment that could harm any individual under the supervision of the Department.	2 or R	5 or R	R		
42.	Abuse, including physical, mental, or otherwise of any individual under the supervision of the Department.	R				
43.	Using force on any individual under the supervision of the Department when force was not authorized to be used.	2 or R	5 or R	R		
44.	Threatening, intimidating, coercing, or use of abusive language toward any individual under the supervision of the Department.	2 or R	5 or R	R		
45.	Without express authorization, giving preferential treatment to any individual under the supervision of the Department, or any individual within 6 months following their release from custody or supervision of the Department, but not limited to:					
	A. The offering, receiving, or giving of favor.	2 or R	5 or R	R		
	B. The offering, receiving, or giving of anything of value.	2 or R	5 or R	R		
	C. Dealing.	2 or R	5 or R	R		
46.	Unauthorized Relationships					
	A. The exchange of personal letters, pictures, phone calls or information by any means with any individual currently under the supervision of the Department, or any individual within 6 months following their release or supervision of the Department, or friends or family of same, without express authorization of the Department.	2 or R	5 or R	R		
	B. Engaging in any other unauthorized personal or business relationship(s) with any individual currently under the supervision of the Department or any individual within 6 months following their release or supervision of the Department, or friends or family of same.	2 or R	5 or R	R		
	C. Visiting with any individual under the supervision of the Department without express authorization of the Department.	2 or R	5 or R	R		
	D. Residing with any individual currently under the supervision of the Department or any individual within 6 months following their release or supervision of the Department, without express authorization of the Department.	2 or R	5 or R	R		

# DISCIPLINARY GRID

## PERFORMANCE TRACK

		OFFENSE				
		1 <sup>ST</sup>	2 <sup>ND</sup>	3 <sup>RD</sup>	4 <sup>TH</sup>	5 <sup>TH</sup>
E.	Committing any sexual act with any individual under the supervision of the Department or any individual within 6 months following their release from custody or supervision of the Department.	R				
F.	Engaging in any other sexual contact or misconduct with any individual under the supervision of the Department or any individual within 6 months following their release from custody or supervision of the Department.	5 or R	R			
G.	Aiding and abetting any unauthorized relationships.	2 or R	5 or R	R		
H.	For APA employees, without the express authorization of the appropriate supervisor, engaging in any personal or business relationship(s) with any individual under the supervision of the Department or with any individual under the supervision of any other criminal justice agency or any individual within 6 months following their release from custody or supervision of the Department.	5 or R	R			
47.	Drug tests – applicable to both random and reasonable suspicion process:					
A.	Random positive test result or positive reasonable suspicion drug test (alcohol or drugs)	R				
B.	Impeding the test process, either random or reasonable suspicion including an employee who does not immediately report to the collection site.	R				
C.	Tampering with a specimen or drug test including but not limited to the introduction of any foreign substance or specimen from another individual into or in place of the employee’s specimen.	R				
D.	Refusal to take a drug test.	R				
E.	Reporting to work under the influence of any intoxicant (alcohol and/or illegal drug) or any prescribed medication that impacts an employee’s ability to carry out assigned duties and/or admitting to the same.	R				
48.	Failure to obtain, maintain and/or keep current any certification, license, driving insurability etc., that is required to perform the duties of the position or to meet the minimum qualifications of the position.	R				
49.	Sexual conduct or contact, while on state time, with a person not under the supervision of the Department, regardless of consent.	5 or R	R			
50.	Any violation of ORC 124.34-... and for incompetency, inefficiency, unsatisfactory performance, dishonesty, drunkenness, immoral conduct, insubordination,	WR to R	5 to R	R		

discourteous treatment of the public, neglect of duty, violation of such sections or the rules of the Director of Administrative Services or the commission, or any failure of good behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office.