

Oakland County Sheriff's Office
General Order # 1.9



SUBJECT: Disciplinary Procedures		NUMBER: 1.9
EFFECTIVE DATE: 3/2/2023 REVIEW DATE: Annually		MACP Standard Impact: 1.4.1
REPLACES AND RESCINDS: N/A	DISTRIBUTION: All Personnel	NUMBER OF PAGES: 3

This order replaces and rescinds all previously issued orders, procedures, rules and regulations, notices and/or practices in conflict with this General Order.

I. PURPOSE

The purpose of this Order is to notify employees of the disciplinary and investigative procedures regarding allegations of violations pertaining to Orders and Rules and Regulations of the Oakland County Sheriff's Office.

II. POLICY

It is the policy of this agency to accept and investigate all complaints of alleged misconduct against the agency or its employees. The Oakland County Sheriff's Office will equitably determine whether the allegations are valid or invalid and will take appropriate action to resolve the allegations. Discipline resulting from violations of General Orders shall be addressed through the adoption of the language contained within this Order, collective bargaining agreement and the Oakland County Merit System Rule, Disciplinary Actions.

III. PROCEDURES

A. Investigative Procedures

1. It shall be the policy of the Oakland County Sheriff's Office to document and investigate all allegations regarding the conduct or performance of members of the Oakland County Sheriff's Office. Allegations of misconduct, potential criminal complaints and all matters deemed by the Sheriff or his/her designee shall be investigated as defined by the Citizen Complaint Investigations and Internal Investigations General Order. Employees will be notified of the resolution, when allegations are founded through the investigative process, and will be bound by this Order. **(MACP Standard 1.4.1 c)**

B. Discipline for Cause

1. An employee shall receive disciplinary action only for a specific, clearly described, reason or "cause." The investigator tasked with conducting a line or internal investigation shall clearly specify and identify the specific reasons or "cause" for disciplinary action. An adequate reason or "cause" for a disciplinary action may include, but shall not be limited to, conduct defined by the Oakland County Sheriff's Office Rules and Regulations, General Orders and the Oakland County Merit System Rules.

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C. Performance Improvement Actions

1. **Counseling in Lieu of Discipline:** This is an action taken by the Office of the Sheriff or his/her designee that allows the Sheriff or his/her designee to discuss minor, infrequent rule violations and determine the extent of any personal or job-related problems that are affecting performance. The goal of the discussion is to offer assistance and guidance and to reinforce the substance and importance of the agency's rules with the employee. The supervisor conducting the counseling shall document the counseling and the outcome and shall forward results of the investigation to the Sheriff or his/her designee. This action will be documented on a synopsis sheet either on paper or electronically. **(MACP Standard 1.4.1 b,d)**
2. **Training in Lieu of Discipline:** This is an action taken by the Office of the Sheriff or his/her designee in which additional training is recommended to refresh and reinforce the employee's skill or knowledge, based on minor or infrequent rule violations. Upon the conclusion of the training, the supervisor conducting the training shall document the training and the outcome and shall forward the results to the Sheriff or his/her designee. **(MACP Standard 1.4.1 a,d)**

D. Types of Disciplinary Actions

1. **Oral Reprimand:** This is an action taken by the Office of the Sheriff or his/her designee in which the Sheriff or his/her designee verbally discusses with the employee the action(s) or behavior(s), determined to violate the General Orders or Rules and Regulations of the Sheriff's Office. These violations have been founded through the investigative process defined below and require correction.
2. **Written Reprimand:** This is an action taken by the Office of the Sheriff in which the Sheriff or his/her designee documents the action or behavior which he/she wants the employee to change, cease or begin. The Written Reprimand will describe which General Order or Rule and Regulation has been violated, detail the behavior to be corrected, will provide orders for future behavior and will document the consequences of repeating the violation. Written Reprimands shall be documented on Disciplinary Forms provided by the Administrative Services Unit and shall be presented to the employee in accordance with this Order.
3. **Withholding a Merit Increase:** Merit Increases are awarded to employees satisfactorily performing in their classification, in accordance with the Oakland County Merit System Rules, and the recommendation of the Sheriff. Merit Increase forms are prepared by the Human Resources Department and forwarded to the Sheriff's Office prior to the effective date. Employees receiving a disapproved Merit Increase shall receive a copy of the Merit Increase form with the Sheriff's or his/her designee's comments, in accordance with this Order.
4. **Suspension Without Pay:** This is an action taken by the Sheriff or his/her designee placing an individual on leave without pay, for a specified period of time. This action does not require the employee's consent and is defined as a leave without pay by the Oakland County Merit System Rules. Suspensions Without Pay shall be documented on Disciplinary Forms, provided by the Human Resources Department, and shall be presented to the employee in accordance with this Order.

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5. Demotion: This is an action taken by the Sheriff or his/her designee that reduces the duties, responsibilities, classification and salary of the individual being disciplined. The salary must fall within the salary range of the demoted classification, and the individual shall be placed at the salary closest to their current classification. Reasons for the demotion shall be documented on the Discipline Forms provided by the Human Resources Department and provided to the employee in accordance with this Order.
6. Dismissal: This is an action taken by the Sheriff or his/her designee to remove an employee from employment with Oakland County and County payroll, as defined in the Oakland County Merit System Rules. The dismissal process shall include a pre-termination hearing, consistent with Oakland County Merit System Rules and applicable laws. Dismissals shall be provided on Discipline Forms provided by the Human Resources Department and shall be presented to the employee in accordance with this Order.

E. Employee Notification of Disciplinary Action

1. A written notice of the actions described in this Order shall provide the reason(s) for the action, effective dates, and condition(s) of the action(s). The Sheriff or his/her designee shall sign the written notice and it shall be presented in person to the employee, by the Sheriff or his/her designee, within thirty days of signature. If the notice cannot be presented in person, it shall be sent to the employee's last known address by registered mail, restricted delivery, with return receipt requested, on/or prior to the effective date. **(MACP Standard 1.4.1 f)**
2. If the written notice is presented in person, the employee shall sign all copies to acknowledge receipt. If the employee refuses, the presenter shall note it on the form.
3. The written notice must be on official forms made available by the Oakland County Human Resources Department and shall include the process for appealing the disciplinary action. This information shall be attached to the disciplinary action or imprinted on the reverse side of the official notice.
4. Upon completion of the written notice to the employee, a copy of the notice and proof of service shall be forwarded to the Office of the Sheriff or his/her designee. **(MACP Standard 1.4.1 e)**
5. The Sheriff's Office shall give the employee the original form and retain one (1) copy for their records. Remaining copies shall be returned to the Human Resources Department, Employee Records Unit, where a copy shall be made part of the employee's file and record of employment.

F. Appeals and Grievances Procedure

1. All matters of discipline, up to and including termination, may be appealed or grieved in accordance with applicable collective bargaining agreements and the Oakland County Merit System. **(MACP Standard 1.4.1 g)**



ISSUED BY: Sheriff Michael J. Bouchard