

FLORENCE POLICE DEPARTMENT

GENERAL ORDER

Subject: PERFORMANCE IMPROVEMENT	Procedure: General Order 13.1.4	Total Pages: 6
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I. POLICY

It is the policy of this Department to provide opportunity for all employees to improve their performance. This will be done through non-disciplinary coaching and mentoring. If these efforts prove unsuccessful, it may be necessary to administer corrective and/or disciplinary action. When this occurs, it will be done in a fair, consistent, and equitable manner.

II. PURPOSE

This written order establishes guidelines for improving employee performance.

III. SCOPE

This directive is applicable to all personnel.

IV. RESPONSIBILITY

All personnel shall be responsible for complying with this general order. Supervisors shall be responsible for providing guidance and training on standards of conduct required of all personnel.

V. CODE OF ETHICS

The Florence Police Department has adopted the following Law Enforcement Code of Ethics and it is the policy of this Department that all personnel shall uphold and abide by it.

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me

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in my official capacity will be kept ever-secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chose profession...law enforcement." I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

VI. NON-DISCIPLINARY ACTIONS

- A. **COACHING:** A non-disciplinary form of mentoring or teaching used by a supervisor to improve an employee's performance. It is a conversation that occurs providing guidance as to how specific behaviors or performance can be improved. Coaching conversations are to be noted on the employee's Quarterly Review which is maintained in the employee's Personnel File.

VII. TYPES OF POSSIBLE DISCIPLINARY ACTIONS

- A. When coaching has failed to improve performance or change undesired behavior, it may be necessary to apply corrective action. A comprehensive list of progressive disciplinary actions that may be applied is listed and defined below.
 - 1. **WARNING:** A warning is issued if poor performance continues after coaching has been administered and performance has not improved, or undesired behavior continues. A warning is documented on the Corrective Action Form and maintained in the employee's Personnel File.
 - 2. **REPRIMAND:** A reprimand is issued for serious infractions or when coaching and a warning have been issued but performance has not improved, or undesirable behavior continues. The reprimand is to be documented on a Corrective Action Form and included in the employee's Personnel File.

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3. **SUSPENSION:** Formal disciplinary action resulting in a mandatory loss of pay and/or benefits. This is administered for serious infractions or after coaching, warning, and a reprimand have failed to improve poor performance or discontinue undesirable behavior. This is to be documented on a Corrective Action Form and will be maintained in the employee's Personnel File.
 4. **DEMOTION:** Formal disciplinary action reducing the rank and/or base pay of an employee. A demotion is administered for serious infractions or after coaching, a warning, a reprimand, and a suspension have failed to improve poor performance or discontinue undesired behavior. Documentation will be maintained in the employee's Personnel File.
 5. **TERMINATION:** Termination is separation of employment. It will be imposed only after a due process hearing. It will be documented and maintained in the employee's Personnel File.
- B. In addition to corrective action, supervisors may recommend one or both of the following:
1. **REMEDIAL TRAINING:** This may be used as a method of improving poor performance through positive corrective training. This training may be accomplished through instruction from a supervisor, a field training officer, or other training programs.
 2. **PROFESSIONAL COUNSELING:** The services of professional counselors may be used to address an issue which may affect job performance. A list of professional counselling services that are covered under City insurance can be provided by contacting Human Resources.
- C. Any corrective action retained in the employee's file in accordance with this general order may be considered for the purpose of assignments, promotions or progressive discipline.

VIII. PROGRESSIVE DISCIPLINE

The Florence Police Department will adhere to the principle of progressive discipline.

In the application of progressive discipline, the corrective action must always be relevant to the offense committed and/or the frequency of violations. The principles of progressive discipline are applied based on the level of seriousness as well as the frequency with which violations occur. It should be noted that the application of progressive discipline contained herein simply serves as a guide and standard for supervisors to follow. Actual application of corrective action is ultimately determined by the totality of facts and circumstances surrounding a given situation. After all, it is not possible to list every specific circumstance or event that may require corrective action, nor has this policy attempted to provide such a list.

Any employee may face corrective or disciplinary actions for any of the following reasons:

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- 1) Violating the Civil Rights of any person.
- 2) Violation of any Federal or State law, including the Alabama Ethics Laws.
- 3) Release of information, intelligence, or reports, which would be in violation of Federal or State laws, regulations, or which would hinder police operations.
- 4) Accepting bribes, money, or other valuables while acting in the capacity of a police officer.
- 5) Insubordination or disrespect towards a superior officer.
- 6) Willful disobedience of a lawful order given by a supervisor.
- 7) Being under the influence of intoxicants, to include alcohol, while on duty.
- 8) Unjustified or careless use of a firearm.
- 9) Falsification of any statement, report, or entry while performing official police duties.
- 10) Neglecting or inattention to duty.
- 11) Making public statements, including use of social media, that tend to disrupt the morale, discipline, or functioning of the department or an ongoing investigation.
- 12) Failure to report the misconduct of an employee of the department.
- 13) Violations of, or disregard of a Florence Police Department General Order, rule, practice, policy, and/or regulations.
- 14) Carelessness in the use of departmental equipment or property.
- 15) Blatant disrespect towards a citizen.
- 16) Tardiness and/or unauthorized absences (including early departure) and/or abuse of leave privileges.
- 17) Refusing to give name, badge number, or to display identification in a courteous manner when requested.
- 18) Failure to wear the proper uniform on duty.
- 19) Incompetency or insufficiency in the performance of duties.
- 20) Loss of driving privileges by due process of law.
- 21) Harassment of other employees or members of the public.

IX. GENERAL PROVISIONS

- A. Supervisors are encouraged to address minor infractions with coaching rather than corrective action whenever possible. That coaching is to be documented on the employee's Quarterly Review, which will be maintained in the employee's Personnel File.
- B. If coaching fails to improve performance and additional infractions occur; supervisors should apply corrective action.

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- C. When a corrective action form is completed, performance related progress reports will be reviewed no more than 180 days from the date of original infraction. Additional progress reports may be warranted, and the deadline extended based upon job performance.

NOTE: The final decision on any corrective action rests solely with the Chief of Police.

X. APPEALS AND GRIEVANCES

Any employee may appeal or grieve a corrective action in accordance with the City of Florence Manual for Supervisors and Employees. See also *General Order 12.1.1 Grievance Procedures*.

XI. ADMINISTRATIVE LEAVE

- A. Nothing in this directive is intended to prohibit an employee from being placed on administrative leave with pay or assigned to administrative duties when necessary in the best interests of the department.
- B. The Chief of Police will set the date and time for an administrative hearing for any employee being placed on administrative leave. The employee will be notified in writing of the date and time of the hearing.

XII. PERFORMANCE IMPROVEMENT RECORDS AND FILES

- A. Coaching will be documented on the employee's Quarterly Review, which is maintained in the employee's Personnel File.
- B. Corrective actions involving warnings, reprimands, suspensions, demotions or terminations will be maintained in the employee's Personnel File.
- C. If a previously implemented corrective action is held to have been unwarranted on appeal, appropriate action will be taken to rescind that corrective action.
- D. Performance improvement documentation will not be maintained in an employee's Personnel File without the employee first having read and having the opportunity to sign the document. At a minimum, this will occur quarterly.

XIII. ROLE OF SUPERVISORS

- A. Supervisory personnel will make all reasonable efforts to ensure the fairness and effectiveness of the performance improvement process.
- B. Supervisors will monitor employee performance and take action when necessary to prevent employees from developing work habits that will likely result in poor performance or improper conduct.
- C. Supervisors will determine if alleged improper conduct is occurring or has occurred. Improper conduct may be discovered by observation or reports from citizens or fellow employees.

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- D. Supervisors will follow the corrective action process when dealing with alleged improper conduct.
- E. Supervisors will utilize and document coaching attempts before administering corrective action whenever possible (minor infractions).
- F. Whenever a supervisor becomes aware of improper conduct by an employee **not** in his or her chain of command, that conduct will be reported to the employee's supervisor in writing. The supervisor will then be responsible for initiating proper performance improvement.
- G. Any supervisor may take immediate action as necessary to stop the improper conduct, pending notification of the supervisor.
- H. Recommendations for corrective action shall be discussed among the supervisors within the employee's chain of command prior to taking action. Appeals of corrective action must follow the proper chain of command.

XIV. TERMINATION

If disciplinary action results in termination, the following information will be provided to the separated employee in addition to that required by applicable city policy:

- A. A written statement citing the reason for dismissal;
- B. The effective date of the dismissal; and
- C. A statement of the status of fringe and retirement benefits after dismissal.