

**STANDARD SCHEDULE OF DISCIPLINARY OFFENSES/PENALTIES  
FOR CITY OF RAPID CITY EMPLOYEES**

1. This list is not intended to cover every possible type of offense. Penalties for offenses not listed will be prescribed by the ~~head of the activity~~ Department Director, Division Manager or Supervisor, consistent with penalties for offenses of comparable gravity, unless superseded by contract or law.
2. Many of the items listed on this schedule combine several offenses in one statement, connected by the word "OR". Usage of the word "OR" in a charge makes it nonspecific.
3. Depending on the gravity of the offenses, dismissal proceedings may be instituted against an employee for four infractions committed in any 24-month period.
4. Where appropriate, consideration may be given to change to lower grade in lieu of dismissal.
5. Suspension penalties on this schedule apply to work days.
6. Reckoning periods commence on the date of the offense.
7. Departments may establish additional rules pertaining to each department, which are not in conflict with these rules.
8. Disciplinary action to suspend or dismiss an employee must be reviewed with the Human Resources Director and/or City Attorney's Office or designees prior to final action.
9. All rules and disciplinary actions are enforced in compliance with current federal and state statutes and regulations, as example the Fair Labor Standards Act.
10. Definitions: For clarity of interpretation, the following terms are defined:

Competent Authority – defined as those authorities that are properly appointed to carry out the supervisory/management duties as assigned by the City and as defined by the supervisory/management position.

Reckoning Period – defined as the period of time applicable to an offense in which no similar offense can occur. If, for instance, a first offense occurs and the reckoning period is six months and a similar infraction occurs within the six-month period, the similar infraction is counted as the second offense. If the reckoning period expires and another similar infraction occurs, the new occurrence may count as a first offense. This does not imply that continued patterns or frequencies of occurrence might not result in more severe penalties based upon performance factors.

## RANGE OF PENALTIES FOR STATED OFFENSES

*Penalties for disciplinary offenses will, in general, fall within the range indicated. In unusual circumstances, depending on the gravity of the offense, the past records, and the position of the employee, a penalty outside the general range may be imposed.*

*(Reprimands – Suspensions – Dismissals)*  
 NUMBER OF INFRACTIONS IN RECKONING PERIOD

NATURE OF OFFENSE	1ST OFFENSE MIN	2ND OFFENSE		3RD OFFENSE		RECKONING PERIOD	
		MAX	MIN	MAX	MIN		MAX
1. Unexcused failure to report or tardiness at designated reporting site and time as assigned by department. Disciplinary action is in addition to non-pay status for period of tardiness.	R	1	1	5	5	15	6 months
2. Failure to report in proper uniform as specified in department regulations. Disciplinary action is in addition to non-pay status for lost time to comply with uniform regulations.	R	1	1	5	5	15	6 months
3. Failure to report on-duty personal injury or accident.	R	1	1	5	5	15	1 year
4. Unexcused or unauthorized absence on one or more scheduled workdays. (Tardy=if less than 1 hour; Unexcused Absence = over 1 hour.) The charge of EXCESSIVE UNAUTHORIZED ABSENCE & penalty of dismissal may be used when absence exceeds 3 workdays or when it appears that employee has abandoned his position. Extenuating circumstances offered by the employee should be considered.	R	5	3	10	10	D	1 year
5. Leaving job or premises to which assigned at any time during working hours without permission.	R	5	3	10	10	D	1 year
6. Failure to observe precautions for personal safety, posted rules/City policies, signs, safety instructions, or to use protective clothing or equipment.	R	5	3	10	10	D	1 year
7. Failure to report receipt of traffic citations, violating traffic regulations, reckless driving or improper operation of motor vehicle while on duty or at any time while operating a City vehicle.	R	5	3	10	10	D	1 year

R = Reprimand

# = Days of Suspension Without Pay

D = Dismissal R = Reprimand

*(Reprimands – Suspensions – Dismissals)*  
*NUMBER OF INFRACTIONS IN RECKONING PERIOD*

NATURE OF OFFENSE	1 <sup>ST</sup> OFFENSE		2 <sup>ND</sup> OFFENSE		3 <sup>RD</sup> OFFENSE		RECKONING PERIOD
	MIN	MAX	MIN	MAX	MIN	MAX	
8. Loafing, wasting time, or inattention to duty.	R	5	3	10	10	D	1 year
9. Carelessness resulting in spoiling or waste of materials or delay in productivity.	R	5	3	10	10	D	1 year
10. Failure or delay in carrying out orders, work assignments, or instructions.	R	5	3	10	10	D	1 year
11. Repeated garnishments showing failure to honor just debts without good cause.	R	5	3	10	10	D	1 year
12. Unauthorized possession of, loss of, or damage to City property or property of others, or endangering same through carelessness.	R	5	10	10	10	D	2 years
13. Disorderly conduct, fighting, threatening or attempting to inflict bodily injury to another; engaging in dangerous horseplay; or, resisting competent authority.	R	D	10	D	15	D	2 years
14. Unlawful use or possession of alcohol, drug paraphernalia or illegal drugs on City property or while conducting City business; reporting to work under the influence of alcohol, illegal drugs, or through the improper use of prescribed drugs.	R	D	10	D	D	D	2 years
15. Unlawful distribution of alcohol or drugs on City premises property or while conducting City business.	R	D	10	D	D	D	2 years
16. Sleeping on duty except when necessitated by operations or authorized by competent authority.	R	D	15	D	D	D	2 years
17. Intentionally revealing or releasing confidential information without proper authorization or use of such information for personal gain.	R	D	15	D	D	D	2 years
18. Endangering the safety of or causing injury to personnel or citizens through carelessness.	R	D	15	D	D	D	2 years
19. Malicious damage to City property or the property of others.	R	D	15	D	D	D	2 years
20. Actual or attempted theft of City property.	R	D	15	D	D	D	2 years
21. Conviction of a felony or misdemeanor with readily discernible harmful effects on City operation (e.g. employee morale or discipline)	R	D	15	D	D	D	2 years

R = Reprimand  
 # = Days of Suspension Without Pay  
 D = Dismissal

*(Reprimands – Suspensions – Dismissals)*  
 NUMBER OF INFRACTIONS IN RECKONING PERIOD

NATURE OF OFFENSE	1 <sup>ST</sup> OFFENSE		2 <sup>ND</sup> OFFENSE		3 <sup>RD</sup> OFFENSE		RECKONING PERIOD
	MIN	MAX	MIN	MAX	MIN	MAX	
22. Immoral, indecent, or notoriously disgraceful conduct which reflects unfavorably on the City.	R	D	15	D	D	D	2 years
23. Disrespectful conduct; use of insulting, abusive, or obscene (profane) language in connection with City duties.	R	D	15	D	D	D	2 years
24. Discrimination against an employee or applicant because of race, color, religion, sex, age, national origin, or disability; or any reprisal action against employee.	R	D	15	D	D	D	2 years
25. Falsification, misstatement, exaggeration, or concealment of material fact in connection with employment, promotion, any record, investigation, or other proper proceeding.	R	D	15	D	D	D	2 years
26. Falsifying attendance record for oneself or another employee.	R	D	15	D	D	D	2 years
27. Disobedience to <del>constituted</del> competent authorities, or deliberate refusal to carry out a proper order from any supervisor having responsibility for the work of the employee; insubordination.	R	D	15	D	D	D	2 years
28. Failure to immediately notify employee's department head of the loss of a valid South Dakota driver's license through revocation, suspension, or other ineligibility, if such license is required in the performance of job duties.	R	D	30	D	D	D	Continuous

R = Reprimand  
 # = Days of Suspension Without Pay  
 D = Dismissal

THE CITY COUNCIL

\_\_\_\_\_  
 Mayor

ATTEST:

\_\_\_\_\_  
 Finance Officer

Date: