

POLICY TITLE: EMPLOYEE CONDUCT AND WORKING ENVIRONMENT
POLICY NUMBER: 3835

COMMITTEE APPROVAL DATE: 11/13/2018 **WRITTEN/REVISED BY:** HUMAN RESOURCES
BOARD APPROVAL DATE: 11/28/2018 **SUPERSEDES:** 06/25/2014

POLICY:

3835 It is the policy of the Beach Cities Health District (“District”) that employees maintain a working environment that is free from all forms of harassment and violence and encourages mutual respect and professionalism throughout all levels of management at the District.

SCOPE:

3835.1 This policy applies to all District employees.

Management Responsibility:

3835.2 It is the responsibility of management to understand, communicate, and enforce this policy among District employees. For purposes of this policy, management includes any position that supervises others or oversees a District-wide function. Management is expected to exemplify the highest standards of ethical business conduct. In addition to this, management is expected to meet the following additional responsibilities:

3835.2.1 Create a work environment that recognizes effort, encourages responsibility, appreciates teamwork and values the free and honest exchange of ideas and concerns;

3835.2.2 Serve as a role-model for the District’s mission, vision and core values. Positively champion the District’s strategic decisions and facilitate collaborative relationships within their department and District-wide;

3835.2.3 Be proactive and take reasonable actions to prevent and identify misconduct and report situations to Human Resources that might impact the ability of personnel to act ethically on behalf of the District;

3835.2.4 Take prompt action to correct business conduct that is inconsistent with the expected code of conduct or District policies;

3835.2.5 Approach corrective measures in an objective manner and seek assistance from Human Resources whenever unsure of the best response to any given situation.

Employee Responsibility:

3835.3 It is the responsibility of employees to understand the policies, guidelines, and procedures and to follow them accordingly. All employees are also expected to know, understand and comply with the laws that apply to her/him:

3835.3.1 As a member of society (e.g., theft, assault and possession of illegal substances);

3835.3.2 As a District employee (e.g., privacy, equal employment opportunity and occupational health and safety);

3835.3.3 To their specific job and in the location in which they work.

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3835.4 This policy provides guidelines to promote understanding of what is considered acceptable employee conduct and behavior and encourages consistency throughout the District. A more comprehensive list of examples is provided in the District's Employee Handbook.

3835.5 Furthermore, the District requires its employees to read, understand, and acknowledge all employee policies. These policies provide context and guidance around the duties and responsibilities of employees in order for the District to conduct its business to the best of its ability. Violation of these policies will result in the appropriate level of discipline up to and including immediate termination from employment.

3835.6 This policy also clarifies the District's expectations of its employees and is a formal statement of a code of conduct the District has always embraced.

3835.7 The **basic principles** of the District's code of conduct are as follows:

3835.7.1 Abide by the District's core values of compassion, accountability, integrity and excellence.

3835.7.2 Treat all individuals with courtesy and respect.

3835.7.3 Understand that programs, services and positions are created to serve the needs of the community and are subject to change.

3835.7.4 Embrace change in a positive and professional manner.

3835.7.5 Avoid exhibiting counter-productive work behavior that negatively impacts the District's ability to run operations or deliver programs and services directly to District customers and clients.

3835.7.6 Maintain a work environment free of discrimination, harassment and bullying

3835.7.7 Work in a safe, responsible and effective manner.

3835.7.8 Be honest.

3835.7.9 Obey the law.

3835.7.10 Respect and safeguard the property of customers, the District, and fellow

employees.

3835.7.11 Maintain confidentiality of all customers, the District's or other parties' information gained through your work.

3835.7.12 Ensure personal business, financial and other outside interests do not conflict with the employees' duty to the District.

Progressive Discipline

3835.8 It is important that all employees perform to the best of their abilities at all times. There will be occasions where employees perform at an unsatisfactory level, violate policy or commit an act that is inappropriate. The employee or the employer has the right to terminate employment with the District *at will* at any time with or without cause and with or without following any system of progressive discipline or warnings (Policy 3060, Employment).

3835.9 The District may choose to exercise its discretion to utilize forms of discipline that are less severe than termination in certain cases. Examples of this may include, but are not limited to, verbal warnings, written warnings, supervisor-directed referral to the Employee Assistance Program (EAP), suspensions, salary reduction, probationary action and/or demotion.

3835.10 Although one or more of these steps may be taken in connection with a particular employee, no formal order or system is necessary. An employee may resign at any time or the District may terminate the employment relationship at any time, with or without following any particular series of steps whenever the District determines, at its own discretion, that such action should occur. Accordingly, circumstances may sometimes warrant immediate termination.

3835.11 The District reserves the right to decide the form of discipline applicable to any given situation.

Retaliation

3835.12 The District provides a working environment for all employees free of retaliation. In the event that an employee has a complaint against his/her supervisor, another employee or the District itself, it is prohibited that the complaining employee be retaliated against for bringing forth his/her complaint. Retaliation may include, but is not limited to demotion, change in work assignment(s), salary change or changes in the terms and conditions of employment. If it is suspected that the employee has been retaliated against, a full and prompt investigation will be conducted. Retaliation against an employee may lead to disciplinary action up to and including termination.

Grievance Resolution

3835.13 The District provides all employees with an orderly and fair process to express concerns or grievances. The goal is to allow employees to present a concern or grievance that respects the chain-of-command reporting relationship within the District wherever possible.

3835.14 While the designated Human Resources representative(s) or Chief Executive Officer may be consulted at any time during the grievance process, all efforts will be made to encourage employees to address issues or grievances concerning any job-related action, decision or condition perceived as unfair or inequitable through their direct reporting relationship unless the concern or grievance is being made against the employee's supervisor. If that is the case, the employee is expected to follow the grievance process outlined below.

Grievance Process

3835.15 If an employee wishes to file a grievance, the following process may be utilized:

3835.15.1 The concern or grievance must be made in writing to the next level of management above his or her immediate supervisor within ten (10) working days of the occurrence. The manager will review the grievance with the designated Human Resources representative and take appropriate measures to investigate the grievance and provide his or her decision within ten (10) working days of receiving the grievance.

3835.15.2 If the employee is not satisfied with the decision or action taken, he or she may elevate the issue to the next level of management. The employee's reason must be stated in writing and be made within ten (10) working days of the initial decision. The same process may occur up through the management chain if the employee is not satisfied with the decision(s) or action(s) taken by each level of management.

3835.15.3 The employee may elevate the issue to the Chief Executive Officer. The grievance must be made in writing and should outline the reasons why the employee does not agree with the decision or action taken by management. The Chief Executive Officer will evaluate the concern or grievance in a fair and impartial manner and render a decision that is in the best interest of both the District and the employee within ten (10) working days of receiving the grievance.

3835.15.4 A designated Human Resources representative will be consulted with on all grievances and will ensure that a fair and objective process is followed within the time frame allotted for the grievance process. If a member of the Human Resources department is the subject of the grievance, the Chief Executive Officer will provide consultation on the grievance. If the employee reports to the Chief Executive Officer, the employee may consult the designated Human Resources representative. If the complaint is against the Chief Executive Officer, then the President of the Board of Directors may bring the complaint to the full Board of Directors in closed session.

3835.15.5 If the employee is not satisfied with the decision of the Chief Executive Officer, the employee may direct a written appeal to the District's President of the Board of Directors within ten (10) working days of the decision made by the Chief Executive Officer. The appeal should state the nature of the grievance and the remedy requested. The President of the Board of Directors will present the grievance to the Board of Directors in closed session for a final decision or action. The decision of the Board of Directors will be final.

Administrative Leave

3835.16 It may be in the best interest of the District and/or the employee to place an employee on a paid administrative leave while an investigation and/or disciplinary action is taking place with the employee. Circumstances warranting an investigation may include, but are not limited to, violation of a District policy, suspected misconduct and/or when disciplinary actions are being considered. It is within the District's sole discretion to determine when to place an employee on an administrative leave and to determine the appropriate timeframe of such leave.

EXCEPTIONS:

3835.17 The Chief Executive Officer is the only person authorized to make exceptions to this policy.