



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

**SUBJECT: Management Response to
Work Guideline Violations**

POLICY NUMBER: 105

TOTAL PAGES: 4

EFFECTIVE DATE: 12/01/2014

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, COMMISSIONER

I. POLICY

Department staff are expected to comply with all work guidelines that are applicable to their respective job duties. Management staff are expected to teach and train their subordinate staff on relevant work guidelines and how to implement them.

II. APPLICABILITY

This policy shall apply to the Department of Juvenile Justice (DJJ) staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. Department staff shall adhere to all work guidelines. Work guidelines shall include:

1. The Code of Federal Regulations (CFR);
2. Kentucky Revised Statutes (KRS);
3. Kentucky Administrative Regulations (KAR);
4. Department of Juvenile Justice Policies and Procedures (DJJPP);
5. General Directives (GD); and
6. Other management directives.

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- B. Professional guidelines shall be considered work guidelines only when they are a part of professional licensure or certification that is required to perform a staff's assigned job duties.
- C. General Guidelines for Management Responses to Work Guideline Violations
 - 1. Supervisors shall conduct themselves with professionalism, integrity, and consistency.
 - a. Supervisors shall not accept gifts or favors from subordinate staff, except in situations involving holiday exchanges, retirement, and in celebration of life events (e.g., birthday, marriage, new child).
 - b. Supervisors shall not engage in romantic or sexual relationships with subordinate staff.
 - c. Supervisors shall make decisions without consideration of personal relationships or other non-work-related factors including race, color, religion, national origin, sex, age, disability, political affiliation, sexual orientation, gender identity, genetic information, or veteran's status.
 - 2. A management response to work guideline violations shall be given only after deliberation, consultation with the next line supervisor, and with consideration of the following:
 - a. Severity of the offense;
 - b. Staff's level of experience;
 - c. Staff's previous work history;
 - d. Staff's capabilities and limitations; and
 - e. Whether or not the offense resulted in harm to youth, another staff, or the general public.
 - 3. Management responses shall be fair and consistent with the ultimate goal of helping the violating staff improve their work performance and avoiding a repetition of the violation. Coaching and verbal conferences shall be used, when appropriate, to provide positive feedback and assistance to staff.
 - 4. Supervisors shall be responsible for teaching and training their subordinate staff regarding relevant work guidelines and how these guidelines impact their specific job duties. Supervisors shall request assistance from their next line supervisor and from the Training Branch Manager regarding this training, as needed.
 - 5. Performance Improvement Plans (PIP) and verbal conferences shall not be used as disciplinary actions.
 - 6. PIP's may be developed as a management tool for the following situations:
 - a. Communicating expectations clearly;

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- b. Communicating to staff when they are not meeting performance expectations;
- c. As a result of a work guideline violation; and
- d. Giving positive feedback to staff.

D. Request for Disciplinary Action Guidelines

1. Requests for Disciplinary Action shall be completed according to a format established by the Personnel Branch and approved by the Division Director of Administrative Services.
2. All Requests for Disciplinary Action shall:
 - a. Include a detailed account of each work guideline violation;
 - b. Contain all supporting documentation that supports the management contention that work guideline violations occurred;
 - c. Include a complete listing of any previous disciplinary actions that have been taken against the staff;
 - d. Include a complete listing of any current or completed documented verbal conferences and PIPs for the violating staff; and
 - e. Include a written statement provided by the violating staff regarding the request for discipline. The written statement shall be signed by the violating staff and requesting Supervisor. If the violating staff fails to comply with the requirement of providing a written statement, the requesting supervisor shall note the failure to comply in the written request for discipline. A written statement shall be obtained from violating staff on leave immediately upon their return, if applicable.
3. The Supervisor requesting disciplinary action shall provide the violating staff a copy of the request and all supporting documentation at the time of the submission.
4. Supervisors may seek advice and counsel from management within their chain of command, the Office of Legal Counsel, Director of Administrative Services Division, or the Personnel Branch Manager.
5. Supervisors shall only discuss the details of a Request for Disciplinary Action within their chain of command, with the Personnel Branch, with the Director of Administrative Services Division, or with the Office of Legal Counsel.
6. Requests for Disciplinary Action shall be submitted through the chain of command to the Commissioner.
 - a. Each request should be reviewed and approved by each level of management. Supervisors and each level of management may provide a

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recommendation regarding the recommended level of discipline to be issued based upon the submitted request.

- b. A request may be returned at any level of management:
 - i. If the reviewer believes that the guidelines of this policy or other disciplinary trainings have not been followed;
 - ii. If the supporting documentation provided does not support the request; or
 - iii. If the subject of the request has not been treated in a fair and consistent manner.
- 7. A Request for Disciplinary Action shall not be considered pending discipline once the request has been approved by all levels of management.

V. MONITORING MECHANISM

Monitoring shall be done by all Supervisors and the Personnel Branch Manager on an ongoing basis.