

Guam Public Library System Corrective Action and Discipline

Guam Public Library System is a line department within the Executive Branch and employees are governed to abide with the Government of Guam, Department of Administration, Personnel Rules and Regulations.

Corrective Action and Discipline

Guam Public Library System management will refer to the Department of Administration, Personnel Rules and Regulations Manual on the proper procedure in handling the offense committed.

In particular, attached are pages (122) thru (128) from said Manual.

**Section 11.400. Guidelines for Disciplinary Offenses and Penalties
(subsections 11.401 through 11.402)**

11.312 Appeal to the Civil Service Commission

The Hearing Procedures for Adverse Action Appeals adopted by the Civil Service Commission shall be applicable for all Adverse Action Appeals proceedings.

11.313 Service of Proposed and Final Notices of Adverse Action

The Proposed and Final Notices of Adverse Action shall be personally served upon the employee. In the event the appointing authority cannot locate the employee, after reasonable efforts have been made to locate the employee, service of the Proposed or Final Notices may be made by leaving the Notice at the employee's dwelling or usual place of abode with some person of suitable age and discretion residing therein, or by mailing the Notice to the employee at the last known address. Service by mail is complete upon mailing.

11.400 GUIDELINES FOR DISCIPLINARY OFFENSES AND PENALTIES

11.401 General Provisions

- A. The list that follows is not intended to cover every possible type of offense. Penalties for offenses not listed will be prescribed by the department head.
- B. 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 non specific. Use only the items which describe the employee's actual conduct and leave out parts which do not apply.
- C. Penalties for disciplinary offenses will, in general, range from the minimum penalty to the maximum indicated. In unusual circumstances, depending on the gravity of the offense, the past record, and the position of the employee, a penalty outside the general range may be imposed.
- D. Suspension penalties on this schedule apply to work days and holidays.

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- E. Depending on the gravity of the offenses, dismissal proceedings may be instituted against an employee for any number of offenses committed. A greater penalty may be imposed for any offense if the circumstances justify greater penalty.
 - F. In as much as a reprimand is not an adverse action under these rules, a management official need not apply the Adverse Action Procedures. The penalty of reprimand is included in the schedule of penalty to provide certain flexibility for management's discretion to institute progressive disciplinary action against an employee or group of employees.
 - G. Reprimands shall not remain in an employee's personnel file for more than one year.

11.402 Range of Penalties for Stated Offenses

(Reprimands - Suspensions - Dismissals)

* In as much as a reprimand is not an adverse action under these rules, a management official need not apply the Adverse Action Procedures. The penalty of reprimand is included in the schedule to institute progressive disciplinary action against an employee or group of employees. Reprimands shall not remain in an employee's personnel file for more than one year.

NATURE OF OFFENSE	1ST OFFENSE			2ND OFFENSE			3RD OFFENSE		
	MINIMUM	MAXIMUM		MINIMUM	MAXIMUM		MINIMUM	MAXIMUM	
A. Unauthorized absence.	Reprimand*	Suspension		Suspension	Dismissal		Suspension	Suspension	Dismissal
B. Falsifying attendance record for oneself or another employee.	Reprimand*	Suspension		Suspension	Suspension		Suspension	Suspension	Dismissal
C. Leaving job to which assigned at any time during working hours without proper permission.	Reprimand*	Suspension		Suspension	Suspension		Suspension	Suspension	Dismissal
D. Unexcused or unauthorized absence on one or more scheduled days of work or assigned overtime.	Reprimand*	Suspension		Suspension	Dismissal		Suspension	Suspension	Dismissal
E. Unexcused tardiness.	Reprimand*	Suspension		Reprimand*	Suspension		Suspension	Suspension	Dismissal
F. Actual or attempted theft of government property or the property of others.	Reprimand*	Dismissal		Suspension	Dismissal		Suspension	Suspension	Dismissal

CONDUCT

A. Criminal, dishonest, infamous or notoriously disgraceful conduct adversely affecting the employee/employer relationship (on duty or off duty).

CONDUCT (con't.)

	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
B. Disobedience to constituted author-ities, or deliberate refusal to carry out any proper order from any supervisor having responsibility for the work of the employee; insubordination.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
C. Disorderly conduct; fighting threaten-ing or attempting to inflict bodily injury to another; engaging in dangerous horseplay, or resisting competent authority.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
D. Disrespectful conduct; use of insulting, abusive, or obscene language to or about other personnel.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
E. Falsification, misstatement, or con-cealment of material fact in connection with any official record.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
F. False testimony or refusal to testify in an inquiry, investigation or other official proceedings.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
G. Knowingly making false or malicious statements with the intent to harm or destroy the reputation of authority, or official standing of individuals or organizations.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
H. Gambling or unlawful betting during working hours.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
I. Promotion of gambling on government premises.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal

CONDUCT (con't.)

	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM

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|----|---|------------|-----------|------------|-----------|------------|-----------|
| J. | Willful damage to government property or the property of others. | Reprimand* | Dismissal | Suspension | Dismissal | Suspension | Dismissal |
| K. | Engaging in prohibited acts covered in Section 9102 of 4 Guam Code Annotated. | Suspension | Dismissal | Dismissal | | | |

(Penalty shall be imposed pursuant to Section 9103, 4GCA.)

DISCRIMINATION

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|----|---|------------|-----------|------------|-----------|------------|-----------|
| A. | Discriminating against an employee or applicant because of race, color, religion, sex, national origin, age, disability, creed, political affiliation or marital status or other prohibited discriminatory practices. | Reprimand* | Dismissal | Suspension | Dismissal | Suspension | Dismissal |
|----|---|------------|-----------|------------|-----------|------------|-----------|

INTOXICANTS

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|----|---|------------|-----------|------------|-----------|------------|-----------|
| A. | Reporting for duty or being on duty under the influence of intoxicants, unauthorized possession of or attempting to bring intoxicants on government premises. | Reprimand* | Dismissal | Suspension | Dismissal | Suspension | Dismissal |
| B. | Reporting for duty while under the influence of a narcotic or dangerous drug, or use of same on government property or on duty. | Reprimand* | Dismissal | Suspension | Dismissal | Suspension | Dismissal |
| C. | Unauthorized sale or transfer of narcotic or dangerous drug on government property or during duty hours. | Reprimand* | Dismissal | Suspension | Dismissal | Suspension | Dismissal |

PERFORMANCE

	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM

A.	Careless workmanship resulting in spoilage or waste of materials or delay in production.	Suspension	Suspension	Dismissal	Suspension	Dismissal
B.	Covering up or attempting to conceal defective work; removing or destroying same without permission.	Suspension	Suspension	Dismissal	Suspension	Dismissal
C.	Failure or delay in carrying out orders, work assignments or instructions of superiors.	Suspension	Suspension	Dismissal	Suspension	Dismissal
D.	Loafing, wasting time, or in-attention to duty.	Suspension	Suspension	Dismissal	Suspension	Dismissal
E.	Sleeping on duty where life or property is endangered.	Dismissal	Suspension	Dismissal	Suspension	Dismissal
F.	Unauthorized use or possession of, loss of or damage to government property or the property of others.	Suspension	Suspension	Dismissal	Suspension	Dismissal

SAFETY

A.	Failure to observe precautions for personal safety posted rules, signs, written or oral safety instructions, or to use protective clothing or equipment.	Suspension	Suspension	Dismissal	Suspension	Dismissal
B.	Violation of safety regulations which endangers life or property.	Suspension	Suspension	Dismissal	Suspension	Dismissal
C.	Endangering the safety of or causing injury to personnel through carelessness.	Suspension	Suspension	Dismissal	Suspension	Dismissal

SAFETY (con't.)

	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
D. Failure to observe no smoking regulations or carrying matches in restricted areas.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
E. Violating traffic regulations, reckless driving on government premises, or improper operation of government motor vehicles.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal

11.500 CIVIL SERVICE COMMISSION HEARING PROCEDURES FOR ADVERSE ACTION APPEALS (COVERING SUSPENSIONS, DEMOTIONS, DISMISSALS)

(SEE APPENDIX A)