

Per CPPW discussion on 5/10/24 we can accept the language proposed by the City on 4/18/24.

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**ARTICLE \_\_\_ – DISCIPLINE AND DISCHARGE**

**A. Just Cause.** Disciplinary action may be imposed upon an employee only for just cause. Disciplinary action imposed on any employee may be processed as a grievance through the regular grievance procedure except for an employee who has not yet passed their initial probation or who fails to successfully complete the initial probationary period.


**B. Disciplinary Action.** Disciplinary actions or measures shall include only oral ~~reprimand~~ warning, written reprimand, demotion, suspension, and discharge. If an employee is issued an oral reprimand it will be provided in writing, the employee shall be informed of the discipline at the time it is given, but in case no later than seven (7) calendar days after the reprimand is given to the employee at the time that it occurs, or within one week of the occurrence. All such disciplinary actions are subject to the grievance procedure, except for oral reprimand. Coaching and counseling is not considered discipline. If the City has cause to discipline an employee, it shall be done in a manner that will not embarrass the employee before other employees or the public. If the City has reason to discuss any disciplinary action or the possibility of any disciplinary action, the employee shall be given the option of having a Union representative present at any such discussion.

**C. Performance Improvement Plan.** ~~The City may place a probationary employee on a formal Performance Improvement Plan to provide an employee with performance-related expectations and an opportunity to address performance issues.~~ If the parties agree, a Performance Improvement Plan (PIP) may be used in place of the disciplinary steps prior to discharge in cases of employee performance problems. When a Performance Improvement Plan is used in place of discipline, the content of the PIP will be mutually agreed upon and either parties' offer or refusal to agree to a PIP shall not be used against them in the grievance procedure.

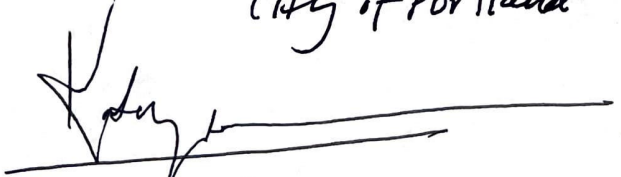
**D. Investigative Interviews and Due Process.** ~~Employees shall receive advance notice of at least three (3) business days prior to an investigatory interview. The notice shall include the general nature of the allegation(s) or the City rule alleged to be violated, the City employee conducting the interview, and the time and location of the investigatory interview. An investigation will not be unreasonably delayed by either party. The employee shall be given the option of having a Union representative present at any such investigation. If the City has reason to discuss any disciplinary action or the possibility of any disciplinary action, the employee shall be given the option of having a Union representative present at any such meeting. The City shall make every effort to also notify the Union Representative when an employee has been or will be scheduled for an investigatory meeting. Failure to notify the Union is not grievable.~~

**E. Disciplinary File.** Records of oral or written reprimand may be removed from an employee's personnel file after one year, upon the employee's request, provided in the judgement of the City, the employee has taken corrective action and has received no other disciplinary actions. Approval to remove such reprimands from the file shall not be unreasonably withheld.

**F. Civil Service Board.** Upon appeal of any discharge, demotion or suspension before the Civil Service Board, any grievance filed under this Article will be withdrawn

  
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City of Portland

5-21-24  
Date

  
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CPPW

5-21-24  
Date