



# BRAINTREE POLICE DEPARTMENT

## Policy and Procedure

### DISCIPLINE AND ACCOUNTABILITY

2020-93

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Certification Standards: <b>26.1.1, 26.1.2</b> Accreditation Standards: <b>26.1.5, 26.1.6, 26.1.7 a-c, 26.1.8</b> Optional Accreditation Standards: <b>26.1.4 a-c</b>	

**Procedures** All employees, sworn and non-sworn, will at all times adhere to the Laws of the Commonwealth, Department Policies, Rules and Regulations, Appearance Guidelines, Codes of Conduct, and all other Department Directives. Failure to do so may result in disciplinary action against the employee. **[26.1.1]**

**Disciplinary System**  
26.1.4 a-c Training: At times, an employee's deficiencies may be addressed by additional training and he/she may be required to attend such training at the Chief of Police's (Chief) discretion. **[26.1.4 a]**

Counseling: Supervisors who recognize an actual or potential problem with an employee have a duty to discuss the matter with that employee and outline the corrective action expected. **[26.1.4 b]**

Letter of Reprimand: May be issued for any infraction of Department Policy, Rule or Regulation, Appearance Guideline, Code of Conduct, Department Directives, or repeated procedural errors. **[26.1.4 c]**

Punishment Duty: Extra, unpaid duty performed in lieu of punishment in accordance with the Collective Bargaining Agreement. **[26.1.4 c]**

Suspension: Relief from duty with or without pay for just cause. The Chief may impose suspensions for 5 days or less. The Appointing Authority may impose suspensions in excess of 5 days. **[26.1.4 c]**

Demotion: Reduction in rank and compensation for just cause and after due hearing according to law and any contractual obligations. **[26.1.4 c]**

Dismissal: Separation from employment for just cause. The Appointing Authority may order dismissal after due hearing according to law and any contractual obligations. Probationary Officers having less than one year of service and charged with violations of the department's rules and/or procedures are subject to dismissal under the provisions of M.G.L. c. 31, § 34. **[26.1.4 c]**

Dismissal  
Notice  
26.1.7 a-c

The Appointing Authority will provide dismissed employees with a Dismissal Order. The Dismissal Order shall contain:

- The reason(s) for dismissal;
- The effective date of the dismissal; and
- The status of fringe and retirement benefits after dismissal. **[26.1.7 a-c]**

Role and  
Authority of  
Supervisors  
26.1.5

All Supervisors have the duty to ensure that discipline is maintained within the department and are responsible for discovering the disciplinary issues of employees under their supervision. This includes recognizing and rewarding exemplary performance. **[26.1.5]**

Sergeants and Lieutenants have the authority to:

- Counsel;
- Issue oral reprimands;
- Issue written warnings;
- Recommend a written reprimand or more serious disciplinary action as appropriate; and
- Make recommendations for letters of commendation, awards and medals.

Deputy Chief of Police: The Deputy Chief of Police has all the above authority, plus the authority to issue formal letters of reprimand and letters of commendation.

Chief of Police: The Chief has all of the above authority, plus the authority in accordance with all applicable law, the provisions of the Collective Bargaining Agreement and town policy to suspend, impose punishment duty, demote, and begin termination proceedings. **[26.1.5]**

Relief from Duty: All Supervisors have the authority to relieve from duty any employee who they deem unfit for duty due to physical, psychological or other concerns. Immediately upon relieving an employee from duty the Supervisor shall:

- Notify the Chief or his/her designee;
- Document the circumstances; and
- Instruct the relieved employee not to return to the police station until contacted by the Chief or his/her designee.

If necessary, the relieved employee(s) shall surrender his/her issued badge, department credentials, department issued firearms, and license to carry firearms. **[26.1.5]** If a reasonable concern exists that a relieved employee may be impaired due to alcohol, prescription, controlled substance, or emotional status, that employee will not be allowed to operate a motor vehicle.

Discipline Tracking System

Discipline Tracking System (DTS): The DTS is set up on the Share Drive, only accessible to Supervisors, and is used to record low-level disciplinary actions. The DTS allows Supervisors to track patterns of discipline across shifts and units, ensuring proper follow-up.

After Supervisor and employee meet to discuss a low-level disciplinary issue, the supervisor should, but is not required to, complete a Supervisory Action Report (SAR). The SAR contains:

- The Supervisor and employee's names;
- Date and time of report;
- Type of warning issued (verbal, counseling session, or written warning);
- Type and description of offense; and acknowledgment of receipt.

Once completed, the SAR should be scanned and uploaded into the DTS under the Officer's name. The hard copy is kept with the initiating supervisor.

Exceptional Performance  
26.1.2

Letters of Commendation, Awards, and Medals for heroic acts or meritorious achievements are issued through the department's ***Employee Recognition Policy***. **[26.1.2]**

Appeal  
26.1.6

Employees may appeal any disciplinary action imposed in accordance with their Collective Bargaining Agreement (CBA), Civil Service Law and town policy. Officers may address written warnings under the provisions of Ch.149, § 52C. Non-sworn employees and civilian contractual employees may appeal through the Chief and/or Mayor or under the guidelines of their CBA. **[26.1.6]**

Records  
26.1.8

Disciplinary records, not including SARs, will be maintained in the personnel file of the affected employee in accordance with Massachusetts General Laws and applicable CBAs, until retirement or separation, at which time they will be archived. Active personnel files are stored in the Chief's office. **[26.1.8]**

Submission False time sheets

A law enforcement officer, as defined in section 1 of chapter 6E, who knowingly submits to a state agency, state authority, city, town or agency, as defined in said section 1 of said chapter 6E, a false or

fraudulent claim of hours worked for payment and receives payment therefor or knowingly makes, uses or causes to be made or used a false record or statement material to a false or fraudulent claim of hours worked for payment that results in a law enforcement officer receiving payment therefor or any person who conspires to commit a violation of this section shall be punished by a fine of 3 times the amount of the fraudulent wages paid or by imprisonment for not more than 2 years.