TABLE OF APPROPRIATE PENALTIES

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
1. Conviction of a Felony:			
Conviction including a plea of <i>nolo contendere</i> of a felony at any time following submission of an employee's job application.	Removal	N/A	N/A
<u>Notes</u> : A felony is a serious crime usually punishable by a prison term of more than one (1) year. The term " <i>nolo contendere</i> " means a plea entered by the defendant in response to being charged with a crime. If a defendant pleads <i>nolo contendere</i> , he or she is neither admitting nor denying commission of the crime, but agreeing to a punishment (usually a fine or jail time) as if guilty.			
Proof Needed: Court Order or Decision			
2. Conviction of a Misdemeanor I Job Duties, or Job Activities:	Based on Conduct F	Relevant to an Emplo	oyee's Position,
Includes conviction of a misdemeanor at any time following the submission of an employee's job application, when the conviction is based on conduct that would affect adversely the employee's or the agency's ability to perform effectively, or conduct that is relevant to the employee's position, job duties, or job activities.	Removal	N/A	N/A

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Continuation: 2. Conviction of a Misdemeanor J Job Duties, or Job Activities:	Based on Conduct F	Relevant to an Emplo	oyee's Position,
<u>Notes</u> : A plea of guilty or a conviction following a plea of <i>nolo contendere</i> to a charge of a misdemeanor involving the specified conduct shall constitute prima facie evidence of the elements of the misdemeanor.	Removal	N/A	N/A
A misdemeanor is a less serious crime than a felony, punishable by no more than one (1) year in jail.			
3. Any Knowing or Negligent Ma	terial Misrepresent	ation on an Employr	nent Application:
The willful and deliberate misrepresentation or omission of any facts in the employment application which would have precluded or cast doubt upon the selection for appointment or promotion.	Removal	N/A	N/A
<u>Note</u> : Misrepresentation or omission is related to major requirements of the position, educational background, work history, arrest record, drug use, licenses, and proof of residency.			
<u>Proof Needed</u> : Corroboration that the statement is false. Example, transcripts, certification from license agencies that the person is unlicensed, arrest records, affidavits indicating person is not a resident.			

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
4. Any Knowing or Negligent Ma Government Agency:	aterial Misrepresen	tation on Other Doc	ument Given to a
(a) A non-intentional false statement as a result of negligence.	Suspension for 5 – 15 days	Suspension for 30 days to Removal	Removal
 (b) An intentional false statement or omission with respect to other government documents or making a false entry on government records which call into question the credibility of the document. <u>Note</u>: Aggravating factors to consider include whether as a result of the falsification the employee received financial gain, misused government property or jeopardized the safety of others. <u>Examples</u>: Falsification of time and attendance records, travel vouchers or other documents related to entitlements. 	Suspension for 15 days	Suspension for 30 days to Removal	Removal
5. Any On Duty or Employment Should Reasonably Have Kno		-	oyee Knew or
 Engaging in activities that have criminal penalties or are in violation of federal or District of Columbia laws and statutes, such as: (a) Unauthorized smoking in the workplace; incidents of a sexual or ethnic nature involving unwelcome remarks, joking, offensive comments or slurs; and acts 	Suspension for 5 – 15 days	Suspension for 10 – 30 days	Removal
 of insubordination that are verbally abusive. <u>Note</u>: Certain on-duty acts are more egregious than others, requiring more severe discipline. 			

SPI	CAUSES ECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
5.	ntinuation: Any On-Duty or Employment Should Reasonably Have Kno		-	oyee Knew or
(b)	Misuse of resources or property; unwanted sexual advances or propositions; etc.	Suspension of 30 days up to Removal	Removal	N/A
(c)	Assault or fighting on duty; battery; violation of EEO laws; such as incidents of sexual harassment involving physical or financial threats; touching (Class Four felony or stalking); or other violation of EEO law that result in the loss of employment; misuse of funds; resources or property; unfair labor practices or illegal work stoppage; use or distribution of controlled substances; etc.	Removal	N/A	N/A
6.	Any On-Duty or Employmen Efficiency and Integrity of G			res with the
(a)	Unauthorized Absence: Ten (10) consecutive days or more constitutes abandonment	Removal	N/A	N/A
(b)	Absence Without Leave	Reprimand to Removal	Suspension for 10 – 20 days	Suspension for 30 days to Removal

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Continuation:			
6. Any On-Duty or Employment Efficiency and Integrity of Go			es with the
(c) Neglect of Duty: Failure to follow instructions or observe precautions regarding safety; failure by a supervisor to investigate a complaint; failure to carry out assigned tasks; careless or negligent work habits.	Reprimand to Removal	Suspension for 15 days to Removal	Suspension for 30 days to Removal or Reduction in Grade
(d) Insubordination: Includes refusal to comply with direct orders, accept an assignment or detail; and carry out assigned duties and responsibilities.	Reprimand to Suspension for up to 10 days	Suspension for 15 – 30 days to Removal	Reduction in Grade to Removal
(e) Incompetence: Includes careless work performance; serious or repeated mistakes after given appropriate counseling or training; failing to complete assignment timely.	Suspension for 5 – 15 days	Suspension for 20 – 30 days	Suspension for 45 days to Removal
 (f) Misfeasance: Includes careless work performance, failure to investigate a complaint, providing misleading or inaccurate information to superiors; dishonesty; unauthorized use of government resources; using or authorizing the use of government resources for other than official business. 	Suspension for 15 days	Suspension for 20 – 30 days	Removal

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Continuation:			
6. Any On-Duty or Employment Efficiency and Integrity of Go			s with the
 (g) Malfeasance: Doing something illegal. This term is often used when a professional or public official commits an illegal act that interferes with the performance of his or her duties. This includes misuse, mutilation or destruction of government property; concealment, misuse, removal, mutilation, alteration of government property, public records or funds; misuse of official position for unlawful or personal gain. <u>Example</u>: A contracting officer accepts a bribe in exchange for issuing a contract to a vendor. 	Suspension for 30 days to Removal	Suspension for 45 days to Removal	Removal
 (h) Unreasonable Failure to Assist a Fellow Government Employee in Carrying Out Assigned Duties: Refusal of an employee to carry out a directive by a superior to perform a duty that is outside the normal scope of the employee's duties or responsibilities. 	Reprimand to Suspension for up to 10 days	Suspension for 15 – 25 days	Suspension for 30 days to Removal

CAUSES SPECIFICATIONS/GENERAL	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	
CONSIDERATIONS Continuation: 6. Any On-Duty or Employment-Related Act or Omission that Interferes with the Efficiency and Integrity of Government Operations:				
 (i) Unreasonable Failure to Give Assistance to the Public: Includes discourteous treatment of the public; violation of department customer service standards; failure to return phone calls; failure to offer assistance when requested, etc. 	Reprimand to Suspension for up to 10 days	Suspension for 15 – 25 days	Suspension for 30 days to Removal	
7. Any Other On-Duty or Emplo that is not Arbitrary or Capri		ison for Corrective o	r Adverse Action	
 "Catchall" phrase; may include any activities for which the investigation can sustain that it is not "de minimis" (i.e., very small or trifling matters) can include: Drunkenness on duty Gambling Arguing Use of abusive or offensive language Rude or boisterous playing Sleeping on the job In most instances, the behavior can be placed in one of the categories outlined above. 	Reprimand to Suspension for up to 15 days	Suspension for 20 – 30 days	Removal	
8. Any Act which Constitutes a Criminal Offense whether or not the Act Results in a Conviction:				
Conviction not needed; may act on the arrest if the arrest is related to the job. Proof Needed: Arrest record	Suspension for 10 days to Removal	Removal	N/A	

CAUSES SPECIFICATIONS/GENERAL CONSIDERATIONS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
9. Use of Illegal Drugs; Unauthorized Use or Abuse of Prescription Drugs, Use of Alcohol while on Duty, or a Positive Drug Test Result:			
The District government has a drug-free work policy that prohibits not only the use of illegal drugs, but extends to the inappropriate use (or abuse) of prescription drugs and over-the- counter drugs.	Suspension for 15 days to Removal	Removal	N/A