

# MISSOULA POLICE DEPARTMENT POLICY MANUAL



<i>Subject:</i> <b>PERFORMANCE IMPROVEMENT</b>		
<i>EFFECTIVE DATE:</i> <b>3/29/2016</b>	<i>ORIGINAL DATE:</i> <b>9/1/2013</b>	<i>NEXT REVIEW:</i> <b>4/1/2018</b>
<i>CHAPTER</i> <b>3</b>	<i>POLICY #</i> <b>3.70</b>	<i>DISTRIBUTION:</i>
<i>References:</i> <b>MCA 39-51-201 Definition of Gross Misconduct</b>		

## I. Purpose

This policy identifies the proactive and progressive actions a supervisor may take when an employee's performance, attendance, or behavior is unsatisfactory (e.g., does not meet the performance or competency expectations of the position).

## II. Policy

When an employee's performance, attendance, or behavior is unsatisfactory, the supervisor will advise the employee of the issue(s) and give him an appropriate opportunity to improve to an acceptable level through the Performance Improvement Process. The goal of the performance improvement process is to help an employee to perform to the expected standards of the department, rather than providing a basis for disciplinary action.

This policy is not applicable to every infraction, incident or performance failure. Acts of gross misconduct, insubordination, chronic patterns or instances when an officer is unwilling to improve and failure to discipline would result in an undesirable disciplinary precedent are excluded from being addressed by a Performance Improvement Plan.

## III. Definitions

### *Performance Improvement Process:*

Official action taken by management to improve unsatisfactory employee performance, attendance, or behavior. These actions include counseling, training and any other reasonable actions/requirements needed. Each action in the performance improvement

process is documented in one or more of the following documents: the Performance Improvement Plan, Supervisory Activity Logs, Officer Performance Evaluations.

***Performance Improvement Plan (PIP):***

The form used to describe a formal, specific plan to improve the employee's performance as part of the Performance Improvement Process. A PIP describes the performance, behavior, or attendance problem; identifies specific improvements needed; outlines actions to be taken, identifies measureable standards to meet and provides a timeframe for improvements.

***Counseling:***

A formal conversation between a supervisor and an employee used to inform the employee that a deficiency exists with his performance, attendance or behavior and to detail the precise action needed by the employee to address the identified issues. It is often the first action taken in the Performance Improvement Process.

***Progressive discipline:***

The process of using increasing levels of disciplinary action each time an employee fails to correct a problem after being given a reasonable opportunity to do so. The underlying principle of sound progressive discipline is to use the least severe action believed to be necessary to correct the undesirable situation. The level of discipline will increase only if the condition is not corrected.

**IV. Procedures**

A: When is a Performance Plan Initiated?

1. When an employee has been counseled about a deficiency in their performance and has failed to improve the unsatisfactory performance, attendance or behavior.
2. If an officer fails to meet performance expectations on two out of the previous three semi-annual Officer Performance Evaluations.

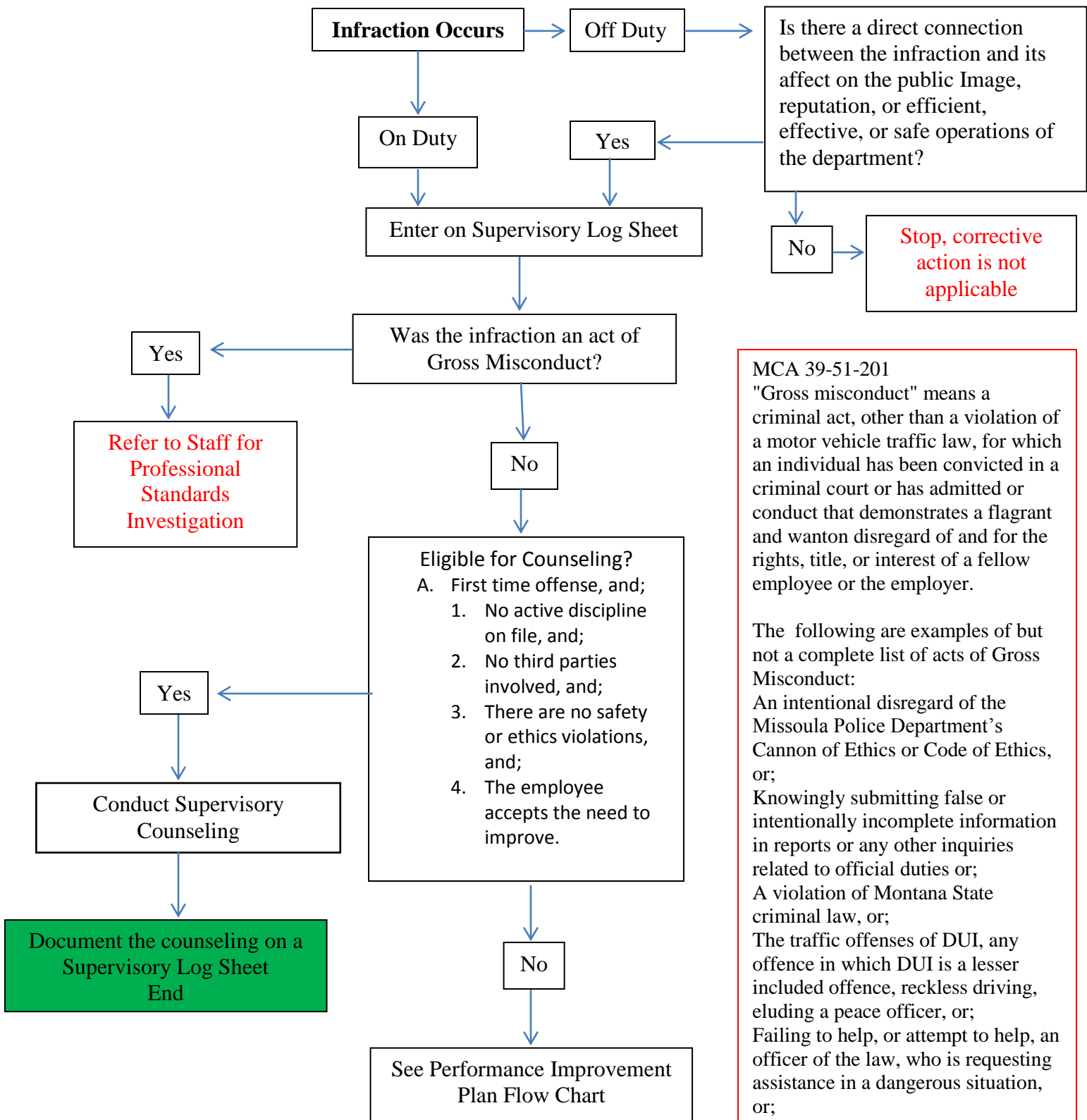
3. If a supervisor finds it necessary following any act or omission that violates department policy or procedure and the act or omission is not suitable for counseling or discipline.

B: After entering an infraction on the supervisory log sheet the supervisor will use the following flow chart to perform an infraction assessment and follow the Performance Improvement Plan as outlined if appropriate.

**Forms:**

1. Performance Improvement Plan

## Performance Improvement Program Infraction Assessment



MCA 39-51-201  
 "Gross misconduct" means a criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in a criminal court or has admitted or conduct that demonstrates a flagrant and wanton disregard of and for the rights, title, or interest of a fellow employee or the employer.

The following are examples of but not a complete list of acts of Gross Misconduct:  
 An intentional disregard of the Missoula Police Department's Canon of Ethics or Code of Ethics, or;  
 Knowingly submitting false or intentionally incomplete information in reports or any other inquiries related to official duties or;  
 A violation of Montana State criminal law, or;  
 The traffic offenses of DUI, any offence in which DUI is a lesser included offence, reckless driving, eluding a peace officer, or;  
 Failing to help, or attempt to help, an officer of the law, who is requesting assistance in a dangerous situation, or;  
 Engaging in significant personal, social or business matters with anyone convicted of a felony.

## Performance Improvement Plan Initiation

