

914.402 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	Dismissal
B. Falsifying attendance record for oneself or another employee.	Reprimand*	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	Dismissal
D. Unexcused or unauthorized absence on one or more scheduled days of work or assigned overtime.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
E. Unexcused tardiness.	Reprimand*	Suspension	Reprimand*	Suspension	Suspension	Dismissal
F. Actual or attempted theft of government property or the property of others.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal

CONDUCT

A. Criminal, dishonest, infamous or notoriously disgraceful conduct adversely affecting the employee/employer relationship (on duty or off duty).	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
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CONDUCT (con't.)	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
B. Disobedience to constituted authorities, 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 threatening 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 concealment 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
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

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
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INTOXICANTS

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.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
B. Covering up or attempting to conceal defective work; removing or destroying same without permission.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
C. Failure or delay in carrying out orders, work assignments or instructions of superiors.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
D. Loafing, wasting time, or inattention to duty.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
E. Sleeping on duty where life or property is endangered.	Reprimand*	Dismissal	Suspension	Dismissal	Suspension	Dismissal
F. Unauthorized use or possession of, loss of or damage to government property or the property of others.	Reprimand*	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.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
B. Violation of safety regulations which endangers life or property.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal
C. Endangering the safety of or causing injury to personnel through carelessness.	Reprimand*	Suspension	Suspension	Dismissal	Suspension	Dismissal

SAFETY (con't.)	1ST OFFENSE		2ND OFFENSE		3RD OFFENSE	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM

	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

**914.500 CIVIL SERVICE COMMISSION HEARING PROCEDURES FOR ADVERSE ACTION APPEALS
(COVERING SUSPENSIONS, DEMOTIONS, DISMISSALS) (SEE APPENDIX A)**