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## Probation, Suspension, and Termination Procedure For All Agencies

### I. Relationship of Disciplinary Provisions

Probation, Suspension and Termination are individual actions that may be taken by the Monroe County Commission on Aging, and should not be considered a progressive disciplinary process. The Monroe County Commission on Aging reserves the right to terminate any contract with or without cause.

### II. Probation

**Definition:** A specified period of time within which the Agency must comply with specified terms of the Contract and/or corrective actions identified by the Monroe County Commission on Aging.

- A. When the Agency has failed to comply with the terms of the Contract, the Monroe County Commission on Aging may place the Agency operations on probation.
- B. The written notice of probation shall be sent in writing, shall contain reasons for probation, any corrective action required of the Agency, the effective date, and the right of the Agency to appeal.
- C. During the probationary period, the Agency will continue to receive reimbursement for expenses incurred as part of the Contract.
- D. If, during the probationary timeframe, the Agency does not comply with the corrective actions, suspension or termination will be initiated.

### III. Suspension

**Definition:** The discontinuation of payment to the Agency for a specific period of time.

- A. When the Agency has failed to comply with the terms of the Contract, the Monroe County Commission on Aging shall suspend financial support to the Agency.
- B. Before suspending Agency operations, the Monroe County Commission on Aging will notify the Agency in writing of the action being taken, the reason(s) for such action (including specific violations), the effective date, and the conditions of the suspension. This notice will be given at least ten (10) calendar days prior to the effective date of the suspension and will note the right of the Agency to appeal.
- C. Under extreme conditions (such as danger to older persons or improper use of funds), the Monroe County Commission on Aging may give immediate notice of suspension.
- D. New obligations incurred by the Agency during the suspension period will not be allowed unless the Monroe County Commission on Aging expressly authorizes them in the writing.





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- E. In suspending Agency contract operations, the Monroe County Commission on Aging shall determine the amount of unused funds the Contractor has on hand, anticipated length of suspension, and extent of operations suspended to determine whether the Monroe county Commission on Aging should require the balance to be returned. The Monroe County Commission on Aging may reinstate the suspended Contract operations if it determines conditions warrant such action.
- F. Financial participation by the Monroe County Commission on Aging in reinstated Contract operations may resume immediately upon reinstatement, but will not cover any costs incurred for those Contract operations while they were suspended.

#### IV. Contract Termination

Definition: The complete cessation of contracted services and contract funding.

- A. The Monroe County Commission Aging may terminate support for the Contract prior to the end of an approved budget year with or without cause.
- B. The Monroe County Commission on Aging, acting as an advocate for the senior citizens of the county, is charged with the prudent spending of public funds to promote the health, dignity and independence of seniors. Any funded agency receiving Commission on Aging senior millage dollars can expect contract termination for the following. The listed examples are by no means intended to be wholly inclusive:
  - 1. Funds are unavailable.
  - 2. The Agency violates conditions under which the Contract was approved.
  - 3. Agency fails or inadequately complies with reporting requirements.
  - 4. Program performance is deficient.
  - 5. Assessment findings are inadequate.
  - 6. Agency fails to submit to Financial Audit of Accounting.
- C. To terminate the Contract, the Monroe County Commission on Aging will notify the Agency in writing of the contract termination and of the Agency's right to appeal and the procedures to be followed for such appeal.
- D. Under extreme conditions (such as gross negligence or misappropriation of funds), immediate contract termination may be initiated.
- E. When financial support of the Contract terminates on or before the end of the approved Contract period, the Contractor shall complete and submit a final financial report to the Monroe County Commission on Aging on the established due date.
- F. When the Contract is terminated, equipment and supplies purchased with Monroe County Commission on Aging funds must be disposed of in accordance with procedures prescribed by the Monroe County Commission on Aging.
- G. An Agency may terminate a Contract upon fifteen (15) days written notice to the Monroe County Commission on Aging prior to the completion of the Contract.

Approved by the Monroe County Commission on Aging on May 9, 2007

