



OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: Discipline	AUTHORIZED BY: Sarah H. Steelman Commissioner
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ISSUED: August 1, 1984	REVISED: August 28, 2018

All employees of the Office of Administration serve at the pleasure of their respective appointing authorities and are at-will employees.

This policy addresses unsatisfactory employee conduct or performance, and resulting discipline. Depending on the unsatisfactory conduct or performance involved, discipline may progress from less severe to more severe discipline in order to respond to repeated unsatisfactory conduct or performance, but in all situations the Office of Administration reserves the right to apply the discipline it determines to be appropriate to respond to the unsatisfactory conduct or performance without regard to concepts of progressive discipline. Discipline may be imposed by an appointing authority or his or her designee.

I. DEFINITIONS

- A. Appointing Authority – the commissioner for department-wide employees, the division director for division-wide employees, and the client services manager for ITSD employees assigned to a department client.
- B. Designee - an employee designated through policy or procedures to act on the part of the Appointing Authority in certain matters.
- C. Discipline - any of the following actions issued by the Appointing Authority or designee in response to the conduct or performance of an employee: a written reprimand, suspension, involuntary demotion, dismissal, unacceptable conduct notice, or conditional employment period.
- D. Dismissal – a separation from employment.
- E. Involuntary demotion – an involuntary change of an employee from a position in one class to a position in a class of a lower rank.
- F. Reprimand – a letter or memorandum to an employee notifying the employee of misconduct, violations of department, division, or facility rules, regulations, policies, procedures, or practices, or for deficiencies in performance, and the potential consequences of further misconduct, violations, or deficiencies in performance.
- G. Supervisor – the individual who is directly responsible for overseeing the employees work performance.



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H. Suspension – an enforced leave of absence without pay.

I. Unacceptable conduct notice – written notice to an employee used in the instance of unacceptable conduct by the employee when, in the judgment of the appointing authority, the conduct does not warrant immediate demotion or dismissal, but which requires a permanent record in the employee’s personnel record.

J. Conditional employment – a disciplinary action taken when an employee’s conduct or performance is such that change is required as a condition of continued employment. The appointing authority may issue a statement describing the necessity for change, including what needs to be changed and in what time period (not to exceed three months). A permanent record is created in the employee’s service history or personnel file.

II. PROCEDURES

A. The letter notifying an employee of an unacceptable conduct, conditional employment period, suspension, involuntary demotion, or dismissal shall be issued by the appointing authority.

B. The letter or memorandum notifying an employee of a reprimand shall be signed or initialed by the appointing authority or designee.

C. The letter or memorandum notifying an employee of disciplinary action shall be presented to the employee by the supervisor, appointing authority, or the appointing authority’s designee. The employee shall sign and date that the letter was received. If the employee refuses to sign, the supervisor, appointing authority, or appointing authority’s designee shall so document. If the employee is not available to receive the letter, it shall be sent to the employee’s last address of record by certified mail.

D. A copy of the letter or memorandum notifying an employee of disciplinary action shall be placed in the employee’s personnel file.

E. Employees of certified bargaining units may have rights pursuant to bargaining unit contracts in addition to those listed in this procedure.