

**PPP-70 Progressive Disciplinary Procedures**

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### Purpose and Scope

East Tennessee State University (ETSU) is committed to providing a work environment that embraces the University's core values:

**PEOPLE** come first, are treated with dignity and respect, and are encouraged to achieve their full potential;

**RELATIONSHIPS** are built on honesty, integrity, and trust;

**DIVERSITY** of people and thought is respected;

**EXCELLENCE** is achieved through teamwork, leadership, creativity, and a strong work ethic;

**EFFICIENCY** is achieved through wise use of human and financial resources; and

**COMMITMENT** to intellectual achievement is embraced.

To facilitate a productive and harmonious working environment, ETSU employees are expected to follow all established departmental, University and Tennessee Board of Regents' policies and procedures.

Employees are also expected to achieve and maintain standards of conduct, behavior, attendance and job performance consistent with the requirements of their position. In the event that disciplinary action must be taken against an employee for misconduct or poor performance, the University provides these *Progressive Disciplinary Procedures* to ensure prompt, consistent and fair treatment of all employees.

These procedures apply to all regular full-time and part-time administrative/professional and support employees.

While ETSU is committed to the principles of progressive discipline, it reserves the right in cases where the offense merits termination or other severe sanction in the first instance, to impose that sanction without following principles of progressive discipline.

### Authority

The Tennessee Board of Regents has delegated to the President or his/her designee the authority to terminate, demote and transfer all personnel within the scope of the delegation of authority provided for in Section A, under TBR Policy No. 5:01:00:00. Internal complaints, charges, or claims concerning matters of employment shall be handled through these and other established and appropriate ETSU procedures, and are subject to approval by the President. The Vice President for Finance and Administration has been delegated authority at East Tennessee State University to suspend, demote or terminate non-faculty employees. No supervisor has the authority to suspend, demote or terminate an employee without approval from the Vice President for Finance and Administration.

No supervisor has the authority to place an employee on probation without prior consultations and approvals from supervisory chain of command, the respective Vice President, and the Director of Human Resources.

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Supervisors shall contact the Director of Human Resources during each phase of the supervisory counseling and disciplinary process.

### **Grounds for Disciplinary or Corrective Action**

Cause for disciplinary action shall include, but is not limited to: violation of established departmental, University and Tennessee Board of Regents' policies and procedures; and/or failure to achieve and maintain standards of conduct, behavior, attendance or job performance.

- A. **Termination for Gross Misconduct:** Gross misconduct may include, but is not necessarily limited to: any act or omission which may seriously disrupt or disturb the normal operation of the university; any work-related conduct which would subject the employee to criminal conviction; theft or dishonesty; gross insubordination; destruction of university property; falsification of records; acts of moral turpitude; reporting for duty under the influence of intoxicants; the illegal use, manufacture, possession, distribution, or dispensing of controlled substances or alcohol; disorderly conduct; provoking a fight; and/or such other similar acts involving intolerable behavior by the employee. In the case of gross misconduct, immediate disciplinary action up to and including termination will be taken.
- B. **Absence from Duty:** An employee who is absent from duty for more than three (3) consecutive business days without giving notice to the appointing authority or appropriate manager concerning the reason for such absence and without securing permission to be on leave or who fails to report for duty or to the immediate supervisor or the appointing authority within two (2) business days after the expiration of any authorized leave of absence, absent unusual circumstances causing the employee's absence or preventing the employee's return, is considered as having resigned not in good standing.

### **Initial Probationary Period**

All newly appointed full-time and part-time regular administrative/professional and support employees are placed under a probationary period of six (6) months of observable performance. During this period, an employee may be terminated without prior notice. A probationary period also applies to an employee who is promoted, transferred or demoted to another position and a new employment contract is required.

Probationary employees will be evaluated during the fifth month of employment. On the first working day of the fifth month of employment, the Office of Human Resources will send the new employee's supervisor a Probationary Evaluation Form. The evaluation form will be processed as outlined in the ETSU Employee Performance Evaluation Guide.

Supervisors should make effective use of the initial probationary period with employees. This period is an important time when employees demonstrate abilities to satisfactorily perform assigned duties and

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responsibilities. Supervisors are encouraged to provide appropriate training, coaching and mentoring for their employees during the probationary period. Employees should receive a written job description and should understand the position requirements and the standards of conduct expected.

### **Dismissal During the Initial Probationary Period:**

At any time during an initial probationary period, an employee may be terminated without cause or right of appeal. However, supervisors must provide sufficient documentation to justify dismissal for review/approval through their signatory chain, the appropriate vice president, and the Director of Human Resources. No regular employee shall be terminated without final approval from the Vice President for Finance and Administration. Supervisors are encouraged to contact the Director of Human Resources to discuss employee performance issues during the probationary period.

## **Guide to the Progressive Disciplinary Procedures**

ETSU practices progressive discipline beginning with supervisory counseling. The supervisory counseling tools of Informal Discussion sessions and Verbal Warnings are tools to problem-solve and improve performance, and are not used to punish the employee.

When performance does not improve or a severe problem occurs, the supervisor must make a determination as to whether or not the employee's action is a cause for discipline. Supervisors may use several methods of employee discipline including: written warnings, probation, suspensions with/without pay, demotion, or termination from employment. ETSU reserves the right to allow supervisors to skip stages of this disciplinary process up to termination, subject to the nature and severity of the employee's infraction.

If appropriate to the situation, supervisors are encouraged to contact the Director of Human Resources to discuss an employee's rights under the Family Medical Leave Act and the Americans with Disabilities Act Amended.

### **A. Supervisory Counseling**

1. **Informal Discussions:** Supervisors are encouraged to resolve discipline matters informally with their employees. In cases of minor misconduct or performance issues, supervisors should verbally discuss the misconduct or performance problem/s with the employee and develop solutions. Documentation concerning these discussions shall be maintained by the supervisor at the department level. Contact the Director of Human Resources, to discuss counseling, coaching and training options.

If the problem still persists following the informal discussions, or the nature and severity of the problem warrants more stringent action, then the supervisor shall proceed to another form of counseling or discipline.

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2. **Formal Verbal Warning:** If informal discussions with the employee have not solved the problem, or the nature and severity of the problem warrants more stringent action, the employee shall be given a formal Verbal Warning that his/her conduct or performance does not meet acceptable standards. The verbal warning should be specific as to the reason for the action and should include a description of corrective action the employee should take. The supervisor should clearly state that this is a verbal warning and that future incidents or failure to improve job performance, conduct, or attendance may result in more progressive discipline. A record of the time and date of the warning, the reason it was given, corrective action to be taken, and the date of the incident being addressed should be kept in the supervisor's files.

A memorandum confirming the formal verbal warning shall be given to the employee. The memorandum must contain a summary of the verbal warning and shall be signed by the supervisor. The employee's signature is requested to acknowledge receipt, not necessarily agreement. The verbal warning memorandum shall normally be maintained in the supervisor's working files at the department level, however the supervisor is responsible for keeping other levels of supervision informed of actions taken.

A Verbal Warning is a tool to problem-solve and improve performance, not to punish the employee. An employee may receive more than one verbal warning before more stringent disciplinary action is taken. The following are examples of behavior that would normally warrant a verbal warning: chronic absenteeism or tardiness; absence from work without authorization; leaving a job without permission; poor level of performance; problems with poor attitude toward co-workers and/or supervisor; insubordination; obscene language, etc.

Example: Formal Verbal Warning Memorandum, See Appendix A.

### B. Methods of Employee Discipline

1. **Written Warning:** Written Warnings are issued when a problem continues, or when the nature and severity of the problem warrants more stringent action. The immediate supervisor will be responsible for consulting with his/her supervisory chain to ensure that agreement has been reached as to whether a written warning is warranted. Before issuing a written warning, the supervisor shall contact the Director of Human Resources to ensure that the progressive discipline is being taken in accordance with the policies and practices of the university. Before a written warning is issued, previous verbal or written warnings, and supervisory counseling session notes should be thoroughly reviewed.

A written letter of warning will contain the details and history of the problem, including any prior counseling, discipline or training; the rules or standards violated; the improvement required; and the time table for improvement. It will warn that further disciplinary consequences (up to and including termination) may occur if the problem is not corrected. A written warning will be signed by the supervisor. The employee's signature is requested to acknowledge receipt, not necessarily agreement. The memorandum shall be processed through the department's signatory

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channels and the appropriate vice president, to the Director of Human Resources. A copy of the memorandum shall be placed in the employee's official personnel folder.

Examples: Written Warning Letters, Appendix B.

2. **Probation:** Disciplinary probation may be an effective and appropriate form of discipline. Through one-on-one counseling, supervisors monitor performance during a specified period of time and encourage employees to improve performance related problems. Disciplinary probation may be imposed for a period of up to six months. This is a designated time period when an employee must improve those identified deficiencies in their performance. Improvement standards and time frames are established by the supervisor. The use of disciplinary probation period requires that a supervisor make a concerted effort to meet regularly with the employee during the probationary period to assist them in improving performance.

A written request to place an employee on a disciplinary probation will contain the details and history of the problem, including prior counseling, discipline and training; the rules or standards violated; the improvement required; and the requested length of the probationary period. Supporting documentation should be attached. The supervisor shall process the request through the department's signatory channels and the appropriate vice president, to the Director of Human Resources. Human Resources will review all documentation and give the supervisor written approval/disapproval to initiate the probation. A copy of the probationary memorandum shall be placed in the employee's official personnel folder.

Before requesting a disciplinary probation, the supervisor shall contact the Director of Human Resources to ensure that the progressive discipline is being taken in accordance with the policies and practices of the university.

Example: Probation Request Memorandum, See Appendix C.

3. **Suspension without Pay:** Under TBR Guideline P-020, *Procedures for Implementation of the 37.5 hour Work Week*, suspensions must be for serious conduct violations only, and not for performance issues. Pursuant to 29 C.F.R. Sec. 541.602 (b) (5), deductions for full day disciplinary suspensions for violation of workplace conduct rules are permissible if: the employee does no work for a full day; deductions are in full day increments; such deductions are carried out pursuant to a written policy that is applied uniformly to all employees; and, the suspension is imposed in good faith. For instance, an employee may be placed on an unpaid suspension for violation of the sexual harassment or workplace violence policy. If the employee performs any work during the suspension period, such as responds to phone calls from the office regarding work, or reads and responds to work-related emails, etc., no deductions may be taken for those days.

A written request to place an employee on a suspension will contain the details and history of the serious conduct violations, including prior counseling, discipline and training; the rules or

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standards violated; the improvement required; and the requested length of the suspension. Supporting documentation should be attached. The supervisor shall process the request through the department's signatory channels and the appropriate vice president, to the Director of Human Resources. Human Resources will review all documentation with the Vice President for Finance and Administration. The authority to suspend a non-faculty employee is delegated to the Vice President for Finance and Administration. The formal suspension letter to the employee shall be written by Human Resources and signed by the Vice President for Finance and Administration. The supervisor shall inform the employee of the suspension both verbally and in written form. A copy of the suspension letter shall be placed in the employee's official personnel folder.

Before requesting a suspension without pay, the supervisor shall contact the Director of Human Resources to ensure that the progressive discipline is being taken in accordance with the policies and practices of the university.

Any employee suspended without pay is entitled to the opportunity for an institutional hearing in accordance with the university's East Tennessee State University Employee Grievance/Complaint Procedures, PPP-27 or the university's East Tennessee State University Support Staff Grievance Procedure, PPP-61; or a hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

Example: Request to Suspend without Pay Memorandum, see Appendix D.

4. Suspension with Pay: An employee may be placed on suspension with pay (or administrative leave) pending the completion of a formal disciplinary investigation. Employees suspended with pay are not entitled to a grievance hearing.

The Director of Human Resources is authorized to place employees on suspensions with pay following discussions with the immediate supervisor.

Example: Request to Suspend with Pay Memorandum, see Appendix E.

5. Demotion: Under TBR Policy 5:01:00:00, *General Personnel Policy*, a demotion is defined as a decrease in position or rank brought about by means of assuming the duties of a vacant position of lower classification, the realignment of duties presently performed which warrant a reclassification of present position to one at a lower level, or the assignment of a position at a lower classification subsequent to the disciplinary procedure, or disqualification from present duties as a result of mental or physical incapacity to perform the required work.

Support staff employees who are demoted are entitled to the opportunity for an institutional hearing in accordance with the university's *East Tennessee State University Support Staff Grievance Procedure*, PPP-61; or through a hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

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Before requesting a demotion, the supervisor shall contact the Director of Human Resources to ensure that the progressive discipline is being taken in accordance with the policies and practices of the university. The authority to demote a non-faculty employee is delegated to the Vice President for Finance and Administration.

Example: Request to Demote Memorandum, see Appendix F.

6. Termination: Employees may be terminated if during disciplinary proceedings positive action has not been taken by the employee to correct their disciplinary problem; or when the severity of the problem warrants immediate dismissal.

Support staff employees who are terminated are entitled to the opportunity for an institutional hearing in accordance with the university's East Tennessee State University Support Staff Grievance Procedure, PPP-61; or through a hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

Administrative employees who are terminated for cause and not given a 30-day notice are entitled to the opportunity for an institutional hearing in accordance with the university's East Tennessee State University Employee Grievance/Complaint Procedure, PPP-27; or through a hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

A written request to terminate an employee will contain the details and history of the serious conduct violations or performance problems, including prior counseling, discipline and training; and the rules or standards violated. Supporting documentation should be attached. The supervisor shall process the request through the department's signatory channels and the appropriate vice president, to the Director of Human Resources. Human Resources will review all documentation with the Vice President for Finance and Administration. The authority to terminate a non-faculty employee is delegated to the Vice President for Finance and Administration. The formal termination letter to the employee shall be written by Human Resources and signed by the Vice President for Finance and Administration. The supervisor shall inform the employee of the termination both verbally and in written form. A copy of the termination letter shall be placed in the employee's official personnel folder.

Before requesting a termination, the supervisor shall contact the Director of Human Resources to ensure that the progressive discipline is being taken in accordance with the policies and practices of the university.

Example: Request to Terminate Memorandum, See Appendix G.

## Investigations and Documentation

Supervisors must thoroughly investigate a disciplinary problem or incident before determining what



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supervisory counseling or disciplinary procedures are warranted. The supervisor must investigate the facts and circumstances surrounding the problem and discover whether a rule was broken, a work practice not followed, a work request disobeyed, or whether there was good reason for the rule to be disobeyed, etc. Investigations can include interviewing other employees who were witnesses, reviewing work product, directly observing the problem/violation, etc. All investigations should be documented in writing with all supporting documentation attached, i.e., witness statements, examples of work product, timesheets, etc., by the supervisor and reviewed before determining the proper disciplinary action or counseling required.

### **Employee's Written Rebuttal**

Employees are permitted to submit a written rebuttal to their supervisor during each phase of the disciplinary process. Written rebuttals to verbal counselings and formal verbal warnings will stay at the departmental level.

Written rebuttals to disciplinary actions placed in an employee's official personnel folder, must be forwarded through the appropriate signatory chain and vice president to the Director of Human Resources. These documents will be reviewed and shall be placed in the employee's official personnel folder.

### **Employee's Personnel Folder**

Documentation placed in the employee's official personnel folder regarding disciplinary procedures remains a permanent part of the folder. A supervisor's and/or employee's request to remove documentation from an official personnel folder shall be made to the Director of Human Resources for review and consultation with legal counsel.

### **Tips for Supervisors in preparing and meeting with an employee:**

- A. Gather examples of the employee's poor work product or other information concerning poor performance.
- B. Observe firsthand the problem situation or misconduct, if possible.
- C. Discover whether a rule was actually broken, a work practice not followed, a work request disobeyed, or whether there was good reason for the rule to be disobeyed.
- D. Plan a private meeting with the employee to deliver a Verbal Warning or Written Warning. If a witness is appropriate, have an additional supervisory/administrative employee meet with you and the employee as an observer.
- E. Write a list of what you want to discuss during your meeting including, a statement of the problem

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and dates of occurrence, the corrected behavior that you are expecting, and your time table for correcting the problem.

- F. Develop a list of training opportunities the employee will be required to attend.
- G. Offer the employee the help of the university's Employee Assistance Program, to assist them if they are experiencing problems that may be affecting their work performance and/or attendance.
- H. Ask for the employee's perception of the problem and their ideas for solution. Incorporate their ideas with yours into any performance plan of action.
- I. Explain to the employee that further disciplinary consequences may occur if the problem is not corrected, up to and including termination.

*Source: Approved by Senior Staff. April 27, 2009*

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**APPENDIX A**

**Example of Formal Verbal Warning Memorandum**

TO: Ms. Angela Hunt, Title

FROM: Supervisor's Name and Title

SUBJECT: Formal Verbal Warning Memorandum

DATE: January 13, 2007

On January 12, 2007 you were heard repeatedly using obscene language in the presence of students, visitors, and office staff. You were immediately counseled that this was inappropriate and unprofessional behavior. We discussed the necessity of treating all of the university's customers with dignity and respect. You agreed to refrain from using obscene and inappropriate language in the workplace. You were encouraged to contact the University's Employee Assistance Program to assist you with any personal issues that may be affecting your ability to perform your work in a professional manner.

This verbal warning memorandum will confirm our discussion and will be maintained in my departmental files. Future incidents of inappropriate behavior may result in more progressive discipline. You may submit a written rebuttal to this action.

Immediate Supervisor: \_\_\_\_\_

Employee Signature/Acknowledgement: \_\_\_\_\_

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**APPENDIX B**

**Two Examples of Written Warnings**

**Example 1 of 2**

Heading/Date

Dear Mr. Jones:

On October 23 and November 3, 2008, you were counseled concerning your frequent absences from work, your consistent failure to notify me that you would be absent, and your subsequent failure to adequately justify your absence.

During the period November 4 to date, you have been absent four (4) times on the first day of the workweek without notification or justification. Such action on your part places undue hardship on your fellow workers and is detrimental to the efficiency of your work unit. You are expected to be on the job, on time, each workday unless you have a legitimate illness or other acceptable excuse, and to notify me immediately in the event you cannot be at work.

Any reoccurrence of an unexcused absence on your part within the next six months, or failure to notify me immediately if you will be absent will result in further disciplinary action. You are encouraged to contact the University's Employee Assistance Program to assist you with any personal issues that may be affecting your attendance and your ability to perform your work.

A copy of this letter will be placed in your official personnel file.

You may submit a written rebuttal to this action.

Immediate Supervisor: \_\_\_\_\_

Employee Signature/Acknowledgement: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_

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**APPENDIX B continued**

**Example 2 of 2**

Heading/Date

Dear Ms. Jacobs:

On February 16 and 23, 2008 you were counseled concerning your frequent tardiness. Since February 24 you have been tardy an additional six (6) times: February 25 and 26, and March 2, 4, 5, 9, 2008. Such action on your part places undue hardship on your fellow workers and is detrimental to the efficiency of our work unit. You are expected to be at your desk and ready to work at 8 a.m. each workday. Core hours of the university are from 8 a.m. to 4:30 p.m.

Additionally, on February 16 and 22, 2008 you were counseled on your improper completion of standard university travel forms which resulted in a departmental staff member's inability to attend an important conference. You were also counseled on your inability to access and properly use the university's calendar system. Your inability to correctly use the calendar system to schedule a meeting resulted in our staff missing an important meeting with the state auditors.

You are encouraged to contact the University's Employee Assistance Program to assist you with any personal issues that may be affecting your attendance and your ability to perform your work. You are required to attend Travel Training sponsored by the Office of Financial Services, and the Outlook Calendar class sponsored by E-Learning. I am also requesting that you contact the Office of Human Resources' Employee Development Center to schedule a training class to assist you in developing your organizational skills.

Further tardiness and/or continued poor performance will result in further disciplinary actions up to and including termination. A copy of this letter will be placed in your official personnel file.

You may submit a written rebuttal to this action.

Immediate Supervisor: \_\_\_\_\_

Employee Signature/Acknowledgement: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_

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**APPENDIX C**

**Example of Memorandum Requesting Probation**

TO: Director of Human Resources

FROM: Supervisor Name and Title

SUBJECT: Request to Place Ms. Susan Jacobs (Title, Department Name) on Probation

DATE: April 12, 2007

On February 16 and 23, 2007 Ms. Jacobs was counseled concerning her frequent tardiness. She was subsequently tardy an additional six (6) times: February 25 and 26, and March 2, 4, 5, 9, 2007. She was again counseled that her tardiness places an undue hardship on your fellow workers and is detrimental to the efficiency of our work unit. She was reminded that she is expected to be at her desk and ready to work at 8 a.m. each workday and that the core hours of the university are from 8 a.m. to 4:30 p.m.

Additionally, on February 16 and 22, 2007 she was counseled on her improper completion of standard university travel forms which resulted in a departmental staff member's inability to attend an important conference. She was also counseled on her inability to access and properly use the university's calendar system. Her inability to correctly use the calendar system to schedule a meeting resulted in our staff missing an important meeting with the state auditors.

On March 10, 2007 she received a formal letter of warning that was placed in her official personnel folder. She was encouraged to contact the University's Employee Assistance Program to seek assistance with any personal issues that may be affecting her attendance and her ability to perform your work. She was required to attend Travel Training sponsored by the Office of Financial Services, and the Outlook Calendar class sponsored by E-Learning. She was requested to contact the Office of Human Resources' Employee Development Center to schedule a training class to assist her in developing her organizational skills. Ms. Jacobs took a class on March 15 entitled, *Organizing Your Work*. In her letter of warning she was notified that further tardiness and/or continued poor performance would result in further disciplinary actions up to and including termination.

On April 10, 11, and 12 Ms. Jacobs was again tardy each day, not reporting to work until after 10 a.m. She did not call the office to request leave, nor did she offer an explanation for her tardiness upon her arrival. Her attitude toward the staff on the days she is tardy is increasingly hostile. She was again counseled on April 12 concerning her continued tardiness.

Because of Ms. Jacobs' continued tardiness and performance issues, I am requesting she be placed on a

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three (3) month probationary period. Additional information and documentation is attached.

Immediate Supervisor: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_

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**APPENDIX D**

**Example of Memorandum Requesting Suspension Without Pay**

TO: Director of Human Resources

FROM: Supervisor Name and Title

SUBJECT: Request to Place Mr. Jake Shelby (Title, Department Name) on Suspension Without Pay

DATE: November 1, 2008

On October 2, 2008 Mr. Shelby was stopped by a Carter County Police Officer, and was cited for excessive speed and reckless driving. Mr. Shelby was driving an ETSU state vehicle and was traveling on state business. Mr. Shelby has committed a serious conduct violation by violating state driving laws and endangering the public while operating state property. I am therefore requesting that he be placed on Suspension Without Pay for one week effective immediately. Please find attached a copy of the police report confirming this incident.

Immediate Supervisor: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_



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**APPENDIX E**

**Example of Memorandum Requesting Suspension With Pay**

TO: Director of Human Resources

FROM: Supervisor Name and Title

SUBJECT: Request to Place Mr. Sid Keys (Title, Department Name) on Suspension With Pay

DATE: August 22, 2006

On August 21, 2006 our department was notified of a current investigation being performed by the Johnson City Police Department involving Mr. Keys concerning the identity theft of a fellow university employee.

I am therefore requesting that Ms. Keys be placed on Suspension With Pay effective immediately pending the outcome of the investigation. Please find attached a copy of the police report confirming this investigation.

Immediate Supervisor: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_

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**APPENDIX F**

**Example of Memorandum Requesting Demotion**

TO: Director of Human Resources

FROM: Supervisor Name and Title

SUBJECT: Request to Demote Mr. Samuel Johnson (Title, Department Name)

DATE: July 6, 2008

On January 2, 2008 Mr. Johnson was promoted from Technical Clerk to Assistant Director following a regional search. Mr. Johnson has been unable to successfully make the transition from employee to supervisor. He has been counseled on January 14, February 15, March 14, April 16, May 3, and June 5, 2008 concerning serious errors in timekeeping within his unit. He has been counseled on March 4 and April 15 concerning his inability to manage his staff and have his unit complete important projects in a timely manner. On April 17, 2008 Mr. Johnson submitted a report with falsified data and was placed on probation on April 20 for three months. During the probationary period Mr. Johnson has continued to need counseling in supervising his staff and completing his work in a timely and appropriate manner.

Mr. Johnson has participated in the Employee Development Center’s Supervisor Survivor Skills program and has been referred to the Employee Assistance Program for additional assistance in performing his work.

Because Mr. Johnson performed well in his role of Technical Clerk, I am requesting Mr. Johnson be demoted to Technical Clerk effective immediately, and with the requisite decrease in pay. I also request that he be placed on an additional three months probation period.

Please contact me for any additional information and documentation.

Immediate Supervisor: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_

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**APPENDIX G**

**Example of Memorandum Requesting Termination**

TO: Director of Human Resources

FROM: Supervisor Name and Title

SUBJECT: Request for Termination, Mr. Steven Jones (Title, Department Name)

DATE: November 22, 2008

Mr. Jones has been counseled concerning his job tardiness on April 7, June 5, August 6 and September 3, 2008. Since January 1, 2008 Mr. Jones has been tardy on 23 occasions. Mr. Jones' yearly Performance Evaluation in March 2008 noted deficiencies in Mr. Jones performance of his duties relating to his tardiness, and the quantity and quality of his work. On September 4, 2008 he was placed on probation for continued performance issues and tardiness. Mr. Jones has been referred to the Employee Assistance Program for additional assistance in performing his work and improving his tardiness.

On November 21, 2008 Mr. Jones was found intoxicated and asleep at his job site. When Public Safety arrived to assist Mr. Jones he was uncooperative and aggressive. Based upon Mr. Jones' continued performance, tardiness and behavior problems I am requesting immediate termination.

Please find attached additional information and documentation.

Immediate Supervisor: \_\_\_\_\_

Director/Dean/Chair: \_\_\_\_\_

Vice President: \_\_\_\_\_