

## Procedure: 4.4.1p. (III.T.1) Positive Discipline

**Revised:** July 20, 2021; July 22, 2019; November 6, 2017; July 15, 2015; September 27, 2012; May 10, 2012; and November 3, 2011.  
**Last Reviewed:** September 21, 2022; and July 22, 2019.  
**Adopted:** February 6, 2008.



### I. PURPOSE:

The Technical College System of Georgia (TCSG) emphasizes quality and excellence in all aspects of System operations. As such, the System's Positive Discipline process is designed to promote an elevated level of employee discipline by correcting performance problems as they arise, building genuine employee commitment to the organization, and encouraging and promoting the development of effective working relationships between supervisors and their subordinate staff. In addition, the Positive Discipline process focuses on practical and timely decision-making coupled with individual responsibility and accountability.

The Positive Discipline process emphasizes an employee's responsibility and accountability for their behavior and actions by communicating an expectation of change and improvement in a respectful, non-threatening way while maintaining concern for the seriousness of the situation. Key aspects include recognizing and encouraging superior performance, correcting performance problems through coaching and counseling, building commitment to high work standards and safe work practices, and promoting excellence in the delivery of services.

This Positive Discipline policy is not considered an explicit or implied contract between the Technical College System of Georgia or any of its associated Technical Colleges and any employee or group of employees. The System reserves the right to adapt, modify, or abandon this policy at any time and for any reason, with or without notice to any employee.

### II. RELATED AUTHORITY:

State Personnel Board Rules.  
TCSG State Board Policy: 4.4.1. – Positive Discipline.  
TCSG Procedure: 4.4.2p. – Adverse Employment Actions.

### III. APPLICABILITY:

All work units and Technical Colleges are associated with the Technical College System of Georgia.

### IV. DEFINITIONS:

**Appointing Authority:** In the System Office, the Commissioner of the Technical College System of Georgia, as well as those manager(s) to whom the Commissioner has delegated the responsibility for directing associated work unit activities. In a Technical College, the President or their designee shall serve in this capacity.

**Business Day:** weekdays when administrative offices are open.

**Covered Employee:** All full-time or part-time salaried employees who have been continuously employed for more than twelve (12) calendar months. This includes classified and unclassified employees and those working under the terms of an employment contract.

**Decision-Making Leave (DML):** Decision-Making Leave is the third and final step of formal discipline, consisting of a formal discussion between work unit management and an employee about a severe work-related problem. After the discussion, the employee is suspended from work with pay for the following day. He/she must then decide either to solve the immediate problem and agree to perform at an entirely acceptable level in all areas of the job or, instead, to resign and pursue other employment opportunities.

**Designated Reviewing Official (DRO):** an individual employed with the TCSG authorized by the Commissioner to review and make final determinations on dismissals. Decisions by the Designated Reviewing Official shall be final.

**Discussion Worksheet:** Consists of the pre-meeting checklist and post-meeting summary. The pre-meeting checklist portion of the Discussion Worksheet helps supervisors prepare for disciplinary discussions with their subordinate staff. The meeting results are recorded on the post-meeting summary portion of the document.

**Dismissal:** This employment action occurs typically when the progressive steps of disciplinary action have failed to bring about a correction in an employee's work performance, conduct, behavior, or attendance. Dismissal is the appropriate action when a disciplinary problem reoccurs within the twelve (12) month period in which a Decision-Making Leave is active or when a single offense is so severe that any other disciplinary action would not be the appropriate remedy.

**Informal Coaching:** Brief informal discussion(s) between a supervisor and an employee concerning the need to improve attendance, work performance, behavior/conduct, safety, etc. Informal coaching may include corrective feedback or referral for additional training.

**Non-Covered Employee:** This term includes salaried employees who have worked for less than twelve (12) months as well as temporary employees, hourly-paid employees, adjunct faculty, Technical College presidents, and other employees who report directly to the Commissioner of the TCSG.

**Performance Improvement Discussion:** A structured discussion to address a specific problem with an employee in the areas of attendance, work performance, conduct, behavior, and/or safety. The objective is to ensure that the employee recognizes a problem exists, develop a practical solution mutually, and avoid the need for formal disciplinary action.

**Reminder 1:** The first formal step of the disciplinary process involves a discussion between a supervisor and an employee concerning work-related problem(s)/difficulties and the need (for the employee) to change their performance, behavior, conduct, etc.

**Reminder 2:** The second step of the disciplinary process is when the supervisor holds a formal discussion with the employee concerning work-related problem(s)/difficulties and the need to change their performance, behavior, conduct, etc.

**Reviewing Manager:** A manager charged with reviewing the performance plans and evaluations prepared by lower-level supervisor(s) in their direct line of supervision.

**System Office:** all work units not attached to a specific college, including but not limited to Quick Start, Adult Education, Technical Education, Administrative Services, and Data Planning and Research.

**V. ATTACHMENTS:**

Attachment: 4.4.1p.a1. Discussion Worksheet – Pre-Meeting Checklist

Attachment: 4.4.1p.a2. Discussion Worksheet – Post Meeting Summary

Attachment: 4.4.1p.a3. Reminder 2 Sample Memorandum

Attachment: 4.4.1p.a4. Decision-Making Leave Sample Memorandum

Attachment: 4.4.1p.a5. Suspension with Pay Sample Letter

**VI. PROCEDURES:**

A. General Provisions:

1. The Positive Discipline process covers all full-time and part-time salaried employees who have been continuously employed with the TCSG System Office and its associated Technical College for more than twelve (12) calendar months. Also included are all employees working under the terms of an employment contract. Salaried employees who have worked for less than twelve (12) calendar months, as well as temporary employees, hourly-paid employees, adjunct faculty, Technical College presidents, and other employees who report directly to the Commissioner, are excluded from coverage.
2. The Positive Discipline process addresses problems in general areas such as performance, conduct, behavior, attendance, and safety.
3. Each System Office or Technical College supervisor and manager is responsible for communicating agency and college rules, practices, and expectations consistent with the guidelines outlined in this policy.
4. Neither the Positive Discipline policy nor this accompanying procedure is considered an explicit or implied contract between the System and any employee or group of employees. The System reserves the right to adapt, modify, or abandon the policy and procedure at any time for any reason, with or without advance notice to any employee.
5. Every individual initially appointed to or promoted into a supervisory or managerial position is expected to complete Positive Discipline Training within ninety (90) days of assuming their position. Each Technical College and the System Office will conduct Positive Discipline training courses regularly to ensure that all newly appointed or promoted supervisors and managers complete the training within the expected timeline.
6. The TCSG Chief of Police will be involved in all disciplinary and termination actions related to Chiefs of Police in consultation with Human Resources.
7. Those categorized as law enforcement personnel are also responsible for

adherence to all law enforcement Standard Operating Procedures, if any, in addition to all TCSG policies and procedures, and are subject to disciplinary action for violations related to said SOPs.

8. Chiefs of Police, in consultation with Human Resources, will conduct internal affairs investigations on alleged violations of policy or Law Enforcement Standard Operating Procedures committed by sworn personnel under their command, except in the cases of police misconduct.

- a. All serious policy violations and allegations of police misconduct by any sworn personnel will be investigated by the TCSG Chief of Police in consultation with the System Office Director of Human Resources.

B. Informal Discussions:

1. "Positive Contacts" are designed to recognize superior performance and encourage staff to continue to perform their assigned tasks in an exemplary manner. All supervisors and managers are expected to review the performance of subordinate employees regularly and conduct Positive Contact discussions when appropriate. In addition, positive contacts and other forms of recognition should be noted in an employee's productivity file.
2. "Informal Coaching" informs an employee of the need to improve in one or more specific areas. The outcome of a coaching session is not documented in a formal memorandum to an employee; however, supervisors are encouraged to note this activity in an employee's productivity file.
3. "Performance Improvement Discussions" are more tough conversations about performance problems before the need for a formal step of disciplinary action arises.
  - a. Before the meeting, a supervisor will prepare the Pre-Meeting Checklist portion of the Discussion Worksheet (Attachment: 4.4.1p.a1.).
  - b. During the meeting, the supervisor will inform the employee that this is an informal discussion (i.e., not one of the three formal steps of disciplinary action) and seek to gain the employee's agreement to change and correct the problem.
  - c. Following the meeting, the supervisor will document the discussion using the Post-Meeting Summary portion of the Discussion Worksheet (Attachment: 4.4.1p.a2.).
  - d. He/she will provide the employee with a copy of the Post-Meeting Summary, and a copy will be maintained in the employee's productivity file.
  - e. The supervisor will provide positive feedback when improvement occurs and document the improvement on the supervisor's copy of the Discussion Worksheet.

C. Formal Disciplinary Action:

The elevated levels of disciplinary action (i.e., Reminder 1, Reminder 2, and Decision-Making Leave) represent increasingly severe and/or repetitive infraction(s) of established policies, rules, guidelines, and/or directives:

1. Reminder 1:
  - a. After consultation with their immediate supervisor and HR Coordinator/Director, the supervisor will prepare for the meeting by completing the Pre-Meeting Checklist portion of the Discussion Worksheet document.
  - b. During the meeting, the supervisor will inform the employee that this meeting is a Reminder 1, the first formal step of TCSG's Positive Discipline Process. The supervisor will seek to gain the employee's agreement to change and return to entirely acceptable performance.
  - c. Following the Reminder 1 meeting, the supervisor will complete the Post-Meeting Summary portion of the Discussion Worksheet. In addition, a copy of the Pre-Meeting Checklist portion of the Discussion Worksheet will be provided to the employee. The employee will be asked to sign the supervisor's copy to confirm the discussion. A copy of the Discussion Worksheet will be maintained in the employee's productivity and official personnel files. A Reminder 1 remains active for six months.
2. Reminder 2:
  - a. A Reminder 2 may be issued when a problem arises within a six (6) month period following the issuance of an earlier Reminder 1 in the same category or when a performance, conduct, or attendance problem is sufficiently severe to require this level of discipline, regardless of any previous coaching sessions or disciplinary discussions.
  - b. After consultation with their immediate supervisor and HR Coordinator/Director, the supervisor will prepare for the meeting by completing the Pre-Meeting Checklist portion of the Discussion Worksheet.
  - c. During the meeting, the supervisor will inform the employee that this meeting is a Reminder 2, the second formal step of the Positive Discipline Process. The supervisor will again (or for the first time) seek to gain the employee's agreement to change and return to entirely acceptable performance.
  - d. Following the Reminder 2 meeting, the supervisor will complete the Post-Meeting Summary portion of the Discussion Worksheet, a copy of which will be given to the employee. In addition, the supervisor will prepare a memorandum (using Attachment: 4.4.1p.a3.) advising the employee of the Reminder 2 transaction. The employee will be asked to sign the supervisor's copy of the memorandum to confirm the discussion. A copy of the Discussion Worksheet and memorandum will be maintained in the employee's personnel file. A Reminder 2 remains active for nine (9) months. Consistent with provisions of VI.D.1, the affected employee may request a review of Reminder 2.

3. Decision-Making Leave (DML):

- a. Decision-Making Leave may be issued when a problem arises within a nine (9) month period following the issuance of an earlier Reminder 2 in the same category or when a performance, conduct, or attendance problem is sufficiently severe to require this level of discipline, regardless of any previous coaching sessions or disciplinary discussions.
- b. After consultation with their immediate supervisor, the HR Coordinator/Director, and the manager of the college or System Office program area, the supervisor will prepare for the Decision-Making Leave transaction by completing the Pre-Meeting Checklist portion of the Discussion Worksheet. During these discussions, the parties will determine the day the employee will be suspended from work and how the employee's work will be covered on that day.
- c. On the day of the meeting, the supervisor will tell the employee that he/she is being placed on a Decision-Making Leave, the final step of the Positive Discipline process. The supervisor will advise the employee that he/she is to leave the workplace immediately after the meeting concludes. Additionally, the employee should be instructed to spend the following day at home making a final decision about whether he/she can solve the immediate problem that triggered the Decision-Making Leave and commit to maintaining entirely acceptable performance in every area of their job or, instead, to resign and seek employment elsewhere.  
The employee will be told that he/she will be paid for the day of Decision-Making Leave and that if he/she returns with a commitment to solve the problem and maintain entirely acceptable performance and another problem requiring disciplinary action arises, he/she will be dismissed.
- d. Upon returning to work, the employee must advise their supervisor whether he/she has decided to solve the problem and commit to entirely acceptable performance in every area or resign. A corresponding personnel action will be generated if the employee chooses to resign. On the other hand, suppose the employee decides to continue their employment. In that case, the supervisor will complete the Post-Meeting Summary portion of the Discussion Worksheet, a copy of which will be given to the employee. In addition, the supervisor will prepare a memorandum (Attachment: 4.4.1p.a4.) formally advising the employee of the Decision-Making Leave transaction, including the notification that any further problem(s) requiring the delivery of formal discipline will result in their dismissal. The employee will be asked to sign the supervisor's copy of the memorandum to confirm the discussion. A copy of the Discussion Worksheet and memorandum will be maintained in the employee's personnel file and provided to all relevant parties.
- e. A Decision-Making Leave remains active for twelve (12) months. An employee may request a review of the Decision-Making Leave by following the provisions of this procedure.
- f. An employee placed on Decision Making Leave is not eligible to receive a

performance-based salary increase during the performance plan year in which the disciplinary action was initiated.

4. Dismissal:
  - a. A dismissal typically occurs when the progressive steps of discipline outlined in the Positive Discipline Process have failed to correct an employee's performance, conduct, behavior, and/or attendance. In addition, dismissal is appropriate when a disciplinary problem reoccurs within the twelve (12) month active period of a Decision-Making Leave or when a single offense is so severe that any other disciplinary action would not be an appropriate remedy.
  - b. The Commissioner or designated manager must approve the decision to dismiss a System Office employee.
  - c. The President must approve the decision to dismiss a Technical College employee. Presidents and/or college Human Resources Directors should consult with the Office of Legal Services or the TCSG Office of Human Resources before dismissing a covered employee. The decision to dismiss a covered employee must be communicated (to the employee) in writing and include the proposed effective date and the right to review process outlined in Paragraph VI.I.
5. Skipping Disciplinary Steps
  - a. The Positive Discipline steps outlined in this policy are not required to be followed in sequence. For example, if an employee commits a serious offense, the employee may be placed on a Reminder 2, Decision Making Leave, or dismissed. Additionally, if a pattern of repeating problems after the end of an active period of disciplinary action, progression to a more severe step of the Positive Discipline Process may be warranted.
6. Repeating Disciplinary Steps:
  - a. Policy infractions or performance problems are classified into three broad categories: (1) attendance, (2) work performance, and (3) behavior/conduct. If an employee experiences problems in each of these areas, he or she may receive more than one Reminder 1 or Reminder 2.
  - b. The maximum number of Reminder 1's that may be active at one time is three, with no more than one in each category. Likewise, the maximum number of Reminder 2's that may be active at one time is also three, with no more than one in each category.
  - c. Should another performance problem occur in a category where the employee has an active Reminder 1 or Reminder 2 in the same category, the disciplinary step will elevate to the next level (Reminder 2 or DML, as appropriate).
  - d. Suppose an employee is on an active Reminder 2 and experiences a disciplinary problem in an unrelated category. In that case, placing the employee on Reminder 1 for that offense is inappropriate since he or she is already at the Reminder 2 level. In this case, a second Reminder 2 would be

the appropriate sanction.

- e. Because the Decision-Making Leave requires an entire performance decision on the employee's part, an employee may receive only one such transaction in a twelve (12) month period. Therefore, if a performance problem that would result in the delivery of formal discipline occurs within twelve (12) months, the appropriate action is dismissal. However, the appointing authority or designee may consider extenuating or mitigating circumstances before dismissing an employee. Any such decisions should be made after consultation with the TCSG Office of Legal Services or the TCSG Office of Human Resources.

7. Deactivation of Disciplinary Action:

- a. If an employee maintains entirely satisfactory performance during the active period of the respective disciplinary level, the disciplinary action will be deactivated.
- b. Upon notifying the employee that the active period has been completed, the supervisor will document that the disciplinary action has been deactivated on all records in the employee's productivity file. The supervisor will also advise all individuals, including Human Resources. They were initially notified of the disciplinary action, that the active period had been completed, and that the disciplinary action had been deactivated.

8. Performance Management Program:

- a. The Positive Discipline process and the System/Technical College performance management process are intricately linked. As such, the employee's performance appraisal rating will be influenced if the individual is on an active step of formal discipline.

D. Review Procedure

1. Reminder 2:

- a. A Technical College employee who has been issued a Reminder 2 might request a review of the decision by the appropriate Vice President or the President if the Vice President participated in reviewing and approving the disciplinary action. For staff in the System Office, the request for review will be directed to the appropriate Assistant Commissioner, Deputy Commissioner, or, as applicable, the Commissioner.
- b. To request a review, an employee must notify the designated individual within three (3) business days of the receipt of the Reminder 2 Memorandum. The employee's response may be in writing, in person, or both. The designated reviewing official should provide the employee with a written response within ten (10) business days of receipt of the review request. This decision of the reviewing official will be final.

2. Decision-Making Leave:

- a. A Technical College employee placed on a Decision-Making Leave may

request a review of the action by the President. For staff in the System Office, the request for review will be directed to the Commissioner's Designated Reviewing Official.

- b. If the President participated in the review and approval of the Decision-Making Leave, or if the impacted employee reports directly to the President, the review will be conducted at the System Office by the Commissioner's Designated Reviewing Official.
  - c. To request a review, an employee must notify the designated individual within three (3) business days of receiving the Decision-Making Leave Memorandum. The response may be in writing, in person, or both. The reviewing official should provide the employee with a written response within ten (10) business days of receipt of the review request. The reviewer may repeal or modify the Decision-Making Leave. The decision of the reviewing official will be final.
3. Dismissal:
- a. A Technical College or System Office employee covered by the provisions of this policy and who has been notified of their proposed dismissal may request a review of this action by the Commissioner's Designated Reviewing Official.
  - b. To request a review, an employee must submit an appeal in writing to the Commissioner's Designated Reviewing Official (DRO) at the TCSG System Office within three (3) business days after receipt of the dismissal notice. Any request for review not received by the DRO in the TCSG System Office within three (3) business days will be dismissed for being untimely. The request should contain information and, as applicable, supporting material(s) that the employee would like the DRO to consider in determining whether the dismissal should be upheld. An employee who submits an appeal will not be granted a hearing or allowed to meet with or speak to the DRO.
  - c. The Designated Reviewing Official will provide the employee with a written response no later than ten (10) business days following receipt of the review request. If a review is requested consistent with these provisions, the proposed effective date of the dismissal will be delayed until the final determination is issued. During this period, the employee will remain in or be initially placed on a suspension with pay status. The decision of the Designated Reviewing Official in these matters is final.

**NOTE:** The Positive Discipline Process does not permit third-party representation in these matters.

#### E. Crisis Suspensions

1. A crisis suspension (i.e., a suspension with pay) is not a formal level of disciplinary action. A crisis suspension may be used when an employee's inappropriate behavior is so severe that immediate removal from the workplace is necessary. Some examples are theft, the threat of violence, destruction of college property, reporting to work under the apparent influence of alcohol or drugs, insubordination, and arrest. Additionally, an employee may be suspended with

pay in conjunction with an internal investigation initiated in response to a workplace complaint or when an employee's actions/behaviors may impact their ability to perform their assigned job duties effectively.

2. In these circumstances, the appointing authority or designee will notify the employee that he or she is being suspended with pay pending investigation for alleged misconduct and temporarily relieved of duty. This conversation is immediately followed by the delivery of written notification (of this action) using Attachment: 4.4.1p.a5. Additionally, the employee shall be required to leave System Office/Technical College property immediately.
3. The investigation should be completed as soon as possible, and appropriate disciplinary action initiated if the findings are substantiated.

**VII. RECORD RETENTION:**

All records shall be maintained in accordance with the Georgia Records Retention Schedule maintained by the Georgia Archives, University System of Georgia.

ATTACHMENT: 4.4.1P.A1.

**TCSG DISCUSSION WORKSHEET  
Pre-Meeting Checklist**

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Name of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

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

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Type of Problem:  Attendance  Performance

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Conduct

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Dates of any previous discussions about the problem: \_\_\_\_\_

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Fundamental Issue / Overall Concern: \_\_\_\_\_

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Desired Performance: \_\_\_\_\_

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Actual Performance: \_\_\_\_\_

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Impact: (The excellent business reasons why the problem must be solved) \_\_\_\_\_

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Consequences: (The logical consequences the individual will face if he/she fails to correct the situation)

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**The Five Classic Questions:**

Did the employee clearly understand the rule or policy that was violated?

Did the employee know in advance that such conduct would be subject to disciplinary action?

Was the rule violated related to the safe, efficient, and orderly operation of the business?

Is there substantial evidence that the employee did violate the rule?

Is the action planned related to the seriousness of the offense, the employee's record with the organization, and to action taken with other employees who have

committed a similar offense?

**Action (This discussion is intended to be):**

- Performance Improvement Discussion       Reminder 1
- Reminder 2       Decision Making

Leave Employee acknowledgment of discussion (Reminder 1 only): \_\_\_\_\_  
\_\_\_\_\_

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ATTACHMENT: 4.4.1P.A2.

**TCSG DISCUSSION  
WORKSHEET  
Post-Meeting Summary**

Employee Name: \_\_\_\_\_

Discussion Date: \_\_\_\_\_

Action:  Performance Improvement Discussion  Reminder 1  Reminder 2  Decision-Making Leave

Notification: Did you specifically advise the employee of the action (Performance Improvement Discussion, Reminder 1, Reminder 2, Decision Making Leave)?  Yes  No

Gaining Agreement: Did the employee agree to solve the problem / correct the situation?  Yes  No

Employee Assistance Program: Was the employee provided information about the EAP?  Yes  No

Summary of discussion: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee's solution (Action the employee will take to correct the situation): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other solutions (Action to be taken by yourself or other people to help the employee solve the problem):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee's reaction: (Summary of employee's comments about the situation or the discussion):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Completed by: \_\_\_\_\_

Follow-up date: \_\_\_\_\_

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Attachment: 4.4.1p.a3. Reminder 2 Memorandum

**MEMORANDUM**

TO: **[Name of Employee]**

FROM: **[Name of Supervisor]**

SUBJ: **Reminder 2**

DATE: **[Date]**

Please be advised that you have been placed on Reminder 2 for the following reason(s) **[performance, attendance, behavior/conduct problems, and/or policy violation(s)]**. **[This problem or your overall performance]** was previously discussed with you **[As applicable – (in conjunction with your placement on a Reminder 1 on [date] or informally on [date(s) of any previous informal discussions]. [At that time or during these discussions]**, I stressed the importance of what was expected of you, and you agreed to correct the problem(s). Since then, **[describe the continuing problem]**.

Given that **[the continued poor performance, attendance, behavior/conduct problem(s) or policy violation(s) has/have had]** a detrimental effect on **[System Office, Quick Start, or Technical College operations and/or your co-workers]**, it is essential that you make the following change(s) in your performance without delay: **[describe desired performance]**. In addition, I expect you to follow all policies and procedures and perform every aspect of your job in an entirely acceptable manner.

During our discussion today, you said **[restate the employee's agreement to correct the problem together with any other essential comments and your response]**. Therefore, I am counting on you to solve **[this problem/these problems]** and perform all assigned duties and responsibilities in an entirely acceptable manner, given that any further issues requiring disciplinary action will result either in your placement on a Decision-Making Leave (the final step of our disciplinary process) or, if appropriate, dismissal from employment.

You have the right to request a review of this action by contacting **[the name of the reviewing official]** by telephone at **[telephone number]** or by mail at the following mailing address **[mailing address]** within three (3) business days of the receipt of this memorandum.

Please be advised that your decision to request a review of this action does not affect your commitment to me to solve the immediate problem and to perform every aspect of your job in an entirely acceptable manner.

Cc:

**Attachment: 4.4.1p.a4. – Sample Decision Making Leave Memorandum**

**M E M O R A N D U M**

TO: [Name of Employee]  
From: [Name of Initiator]  
SUBJ: Decision-Making Leave  
DATE: [Date]

This memorandum confirms our discussion on [date] about [describe performance problem].

[This problem was, or These problems have been] previously discussed with you on [date(s)]. In addition, [as applicable – you received a Reminder 1, the first step of our formal disciplinary process on (date), and/or you received a Reminder 2, the second step of our disciplinary process on (date)]. In conjunction with [this action/these action(s)], we discussed what was expected of you, and you agreed to correct the problem(s). Since then, [describe continuing problem(s)].

Given that your [continued deficient performance or attendance/ behavior/conduct problem(s) and/or policy violation(s)] [has had/have had] a detrimental effect on [System Office, Quick Start, or Technical College operations and/or your co-workers], you were placed on Decision Making Leave on [date].

During our follow-up discussion, I advised you that a Decision-Making Leave was a formal disciplinary suspension and is the final step of our disciplinary process. I also informed you that while you would be paid for the day in question, you were required to use this day to make a final decision – either to solve the immediate problem(s) or commit to maintaining entirely acceptable performance in every aspect of your job or, instead, to resign and seek employment elsewhere.

When you returned from your day of Decision-Making Leave, you told me that you had decided to continue your employment with [name of System Office or Quick Start work unit or Technical College]. You further agreed that you would solve the immediate problem(s) and perform all assigned duties and responsibilities in an entirely acceptable manner.

[or]

[When you returned from your day of Decision-Making Leave, you told me that you refused to agree to solve the immediate problem(s) and perform all assigned duties and responsibilities of your job in an entirely acceptable manner.]

As I advised you during our meeting, you must immediately correct the [continued deficient performance or attendance/behavior/conduct problem(s) or policy violation(s)]

which led to the delivery of the Decision-Making Leave. In addition, you must maintain entirely acceptable performance in all areas of your job, given that any further problem(s) that require the delivery of disciplinary action will result in your dismissal.

You may request a review of this action by contacting **[name of the reviewing official]** by telephone at **[telephone number]** or by mail at the following address **[mailing address]** within three (3) business days of the receipt of this memorandum.

Please be advised that your decision to request a review of this action does not affect your commitment to me to solve the immediate problem(s) and to perform every aspect of your job in an entirely acceptable manner.

CC:

Employee's Acknowledgment of Receipt:

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Employee's Signature

**Attachment: 4.4.1p.a5. Suspension with Pay Sample Letter**

\_\_\_\_\_, 20\_

Dear \_\_\_\_\_:

This letter serves to notify you that you will be immediately placed on suspension with pay pending investigation into alleged misconduct. Before leaving today, please turn in all keys, your College Identification Card, and other personally assigned equipment.

Your placement in this employment status will continue for an initial period not to exceed forty-five (45) calendar days and will be governed by the following conditions:

1. unless requested to do so, you are not to return to or visit any campus associated with \_\_\_\_\_ Technical College.
2. you must be available during regular business hours, Monday through Friday, \_\_\_\_ a.m. until \_\_\_\_ p.m. to be contacted concerning the status of the investigation or to meet with me or any other representative of the \_\_\_\_\_ Technical College on this matter.
3. By no later than the close of business today, you must provide \_\_\_\_\_ a telephone number and/or cell number where you can be reached during these hours. If a meeting date and time is established to discuss the investigation, you will be expected to be present.
4. In the event of an illness or an emergency, you may request to use annual, personal, or sick leave by contacting \_\_\_\_\_ at; and,
5. During this period, all paycheck(s) will be mailed to you at the above-referenced mailing address.

Failure to follow these directives may result in your movement to a non-pay status for the day(s) in question and the delivery of formal disciplinary action up to and including dismissal from employment.

Sincerely,

CC: Personnel File