



# Conduct Management



# TPR 715

- Before you look at discipline consider TPR 715
- Voluntary actions (section 3-2)



# Ohio TPR 752

- Guidance for dealing with poor workplace behavior
- Includes appendices with samples
- Assists in identifying specific issue in the Table of Penalties
- Helps to determine appropriate levels of action
- LRS is always available to assist



# Counseling/Admonitions

- Counseling
  - Appropriate to deal with slowly escalating bad behavior
  - First indication of a problem
  - Document in an MFR
- Admonition
  - Written document that outlines all facts
  - Technician has a right to reply
  - Specific date to expunge from file



# Discipline vs. Adverse Action

- Adverse Action - written letter of reprimand when informal counseling or admonitions have not had the desired effect
- Disciplinary action – has a financial impact on the technician
  - Suspension
  - Removal
  - Reduction in grade



# Progressive Action

## Correcting poor workplace behavior

- Step 1 – Counseling (MFR)
- Step 2 – Admonition (technician allowed to reply)
- Step 3 – Letter of Reprimand (Adverse Action)
- Step 4 – Suspension without pay (Discipline)
- Step 5 – Removal from employment (Discipline)

NOTE: Additional steps can be included (more severe suspension, reduction in grade); Severity of the offense may allow for steps to be skipped



# Obligation with unionized technicians

- Discipline = Article XV of the CBA
- Prior to disciplinary action or counseling the supervisor must discuss the issues with a union representative



# Fact Finding to Determine Possible Misconduct

- Employees have a right to a union representative in any fact finding investigation that may result in disciplinary action (Weingarten Right)



# Penalty Guide

- Helps you to identify appropriate levels of adverse and disciplinary action for violations of conduct, policy and expectations
- Each offense carries progressively higher disciplinary weight



# Exercise

## Choose your charge

- 1) The technician refuses to cooperate with a security check at the front gate.
- 2) The technician forgets to lock his office door which could have resulted in confidential files being breached.
- 3) You observe about 100 pads of Post-It Notes in the back seat of a technician's personal vehicle. (your office is in constant short supply of Post-It notes no matter how many you order)
- 4) The technician is constantly texting, talking and gaming on his smart phone.
- 5) You receive a complaint about a technician who, after happy hour on Friday, was skinny dipping in a public pool. His uniform was on a lounge chair next to the pool when police arrived.
- 6) You discover a 54 inch high definition TV was charged then paid off in four installments on your technician's government charge card.
- 7) A group of technicians who are disgruntled about recent policy changes all call off sick on Monday.
- 8) The technician uses sick leave to golf 18 holes last Friday.
- 9) After a verbal altercation in the workplace one technician tells another technician that he will be sorry and he better watch his F- - - - - back.



# Adverse Action

- Writing a letter of reprimand (TPR 752 Appendix B)
  - Outline the specifics of the incident
  - Refer to the penalty grid if appropriate
  - Tell the technician what will happen if the behavior repeats
  - Outline the technician's right to grieve
  - Provide information about EAP
  - Signature block



# Discipline – Suspensions/Removals

- Steps to Disciplinary Action
  - 1) Be sure you have all the facts, documentation and statements
  
  - 2) Write a letter of proposed disciplinary action (TPR752 Appendix C)
    - Outline of specific incident
    - Level of disciplinary action proposed
    - Right to review relevant information
    - Right to reply
    - HRO assistance and contact information
    - Next steps



## Discipline – Suspensions/Removals

- 3) Proposal is forwarded to the deciding official
- 4) If the technician has a reply this is also forwarded to deciding official



# Discipline – Suspensions/Removals

## 5) Original Decision Letter

- Outline decision
- Give effective date of outcome
- Outline letter of reply and what was considered
- Outline why the decision was made
- Give HRO contact information
- Outline right of appeal
- Signature block



# Questions?