

Letter of Reprimand (LOR) for Bargaining Unit Employees (BUEs)				
Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	N/A
Create LOR	N/A	N/A	N/A	TPR 752 and CBA
Present to Employee; have Employee Sign acknowledging Receipt	No action required, but may reply and/or file a grievance through the negotiated grievance process	N/A	N/A	Contact Union for Negotiated Grievance Process
Retain for timeframe specified in the LOR	N/A	N/A	N/A	N/A
Send signed copy to LRS	N/A	N/A	N/A	N/A
Remove from folder after expiration; providing no repeat of action	N/A	N/A	N/A	N/A

Letter of Reprimand (LOR) for Non-Bargaining Unit Employees (NBUEs)				
Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	N/A
Create LOR	N/A	N/A	N/A	CNGBI 1400.25 Vol 752
Present to Employee; have Employee Sign acknowledging Receipt	No action required, but may reply and/or file a grievance through the administrative grievance process	N/A	N/A	Contact LRS for Administrative Grievance Process
Retain for timeframe specified in the LOR	N/A	N/A	N/A	N/A
Send signed copy to LRS	N/A	N/A	N/A	N/A
Remove from folder after expiration; providing no repeat of action	N/A	N/A	N/A	N/A

**Disciplinary Action: Suspension of 14 Calendar Days or Less
Bargaining Unit Employees (BUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	TPR 752 and CBA
Compile information including witness statements, if applicable	N/A	N/A	N/A	N/A
Create Proposed Action Letter	N/A	N/A	N/A	TPR 752, CBA and Proposed Action Letter template
Send to LRS for review	N/A	N/A	N/A	N/A
Present to Employee; have Employee Sign acknowledging Receipt	Sign Proposed Action Letter; has 7 calendar days to respond to D.O.	N/A	N/A	Employee can request Union assistance to prepare response
Send signed copy to LRS	N/A	N/A	N/A	N/A
Provide complete Proposed Discipline Action Package to Deciding Official	N/A	Receive Proposed Disciplinary Action package from P.O.	N/A	N/A
N/A	Provide response to D.O. within 7 calendar days after receipt of proposal	Review Disciplinary Action Package and Contact LRS for Guidance	N/A	TPR 752 and CBA
N/A	N/A	Review Employee response	N/A	If oral response, create MFR capturing statement; have employee sign and date
N/A	N/A	Render decision	N/A	Uphold Proposed Action, Reduce # of days, or dismiss

**Disciplinary Action: Suspension of 14 Calendar Days or Less
Bargaining Unit Employees (BUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
N/A	N/A	Prepare Original Decision Letter; send to LRS for review	N/A	Use Original Decision Letter template
N/A	N/A	Present to employee; have employee sign and date acknowledging receipt	Sign & date acknowledging receipt. Either comply with decision or file Disciplinary Action Challenge (Appeal)	Employee: Negotiated Grievance Process through Union or contact LRS for other options
N/A	N/A	Send signed copy to LRS	N/A	N/A
N/A	N/A	Provide copy to P.O. for record	Serve suspension; if applicable	N/A

**Category 1 Adverse Action: Suspension of 14 Calendar Days or Less
Non-Bargaining Employees (NBUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	CNGBI 1400.25 Vol 752
Compile information including witness statements, if applicable	N/A	N/A	N/A	N/A
Analyze and complete <i>Douglas</i> Factors worksheet	N/A	N/A	N/A	CNGBI 1400.25 Vol 752
Create Proposed Action Letter	N/A	N/A	N/A	CNGBI 1400.25 Vol 752; Proposed Action Letter template
Send to LRS for review	N/A	N/A	N/A	N/A
Present to Employee; have Employee Sign acknowledging Receipt	Sign & date acknowledging receipt; has 7 calendar days to respond to D.O.	N/A	N/A	Employee may contact LRS for procedural guidance
Send signed copy to LRS	N/A	N/A	N/A	N/A
Provide complete Proposed Category 1 Adverse Action Package to Deciding Official	N/A	Receive Proposed Category 1 Adverse Action package from P.O.	N/A	N/A
N/A	Provide response to D.O.within 7 calendar days after receipt of proposal	Review Category 1 Adverse Action Package and Contact LRS for Guidance	N/A	CNGBI 1400.25 Vol 752

**Category 1 Adverse Action: Suspension of 14 Calendar Days or Less
Non-Bargaining Employees (NBUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
N/A	N/A	Review Employee response; Review and complete <i>Douglas</i> Factors worksheet	N/A	If oral response, create MFR capturing statement; have employee sign and date
N/A	N/A	Render decision	N/A	Uphold Proposed Action, Reduce # of days, or dismiss
N/A	N/A	Prepare Decision Letter; send to LRS for review	N/A	Use Decision Letter template; Include Douglas Factors
N/A	N/A	Present to employee; have employee sign and date acknowledging receipt	Either comply with decision or file Adverse Action Challenge (Appeal)	Employee: Administrative Grievance Process or contact LRS for other options
N/A	N/A	Send signed copy to LRS	N/A	N/A
N/A	N/A	Provide copy to P.O. for record	Serve suspension; if applicable	N/A

**Adverse Action: Suspension of more than 14 Calendar Days, Reduce Pay or Grade,
or Removal - Bargaining Unit Employees (BUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	TPR 752 and CBA
Compile information including witness statements, if applicable	N/A	N/A	N/A	N/A
Analyze and complete <i>Douglas</i> Factors worksheet	N/A	N/A	N/A	TPR 752 and CBA
Create Proposed Action Letter	N/A	N/A	N/A	TPR 752, CBA, and Proposed Action Letter template
Send to LRS for review	N/A	N/A	N/A	N/A
Present to Employee; have Employee Sign acknowledging Receipt	Sign Proposed Action Letter; has 14 calendar days to respond to D.O.	N/A	N/A	Employee can request Union assistance to prepare response
Send signed copy to LRS	N/A	N/A	N/A	N/A
Provide complete Proposed Adverse Action Package to Deciding Official	N/A	Receive Proposed Adverse Action package from P.O.	N/A	Employee can request Union assistance to prepare response; TPR 752 & CBA
N/A	Provide response to D.O. within 14 calendar days after receipt of proposal	Review Adverse Action Package and Contact LRS for Guidance	N/A	N/A

**Adverse Action: Suspension of more than 14 Calendar Days, Reduce Pay or Grade,
or Removal - Bargaining Unit Employees (BUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
N/A	N/A	Review Employee response; Review and complete <i>Douglas</i> Factors worksheet	N/A	If oral response, create MFR capturing statement; have employee sign and date
N/A	N/A	Render decision	N/A	Uphold Proposed Action, Reduce # of days, or dismiss
N/A	N/A	Prepare Original Decision Letter; send to LRS for review	N/A	Use Original Decision Letter template; Include Douglas Factors
N/A	N/A	Present to employee; have employee sign & date acknowledging receipt	Either comply with decision or file Adverse Action Challenge (Appeal)	Employee: Negotiated Grievance Process through Union or contact LRS for other options
N/A	N/A	Send signed copy to LRS	N/A	N/A
N/A	N/A	Provide copy to P.O. for record	Comply with decision rendered	N/A

**Category 2 Adverse Actions: Suspension of more than 14 Calendar Days,
Reduce Pay or Grade, or Removal - Non-Bargaining Unit Employees (NBUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
Contact LRS for guidance	N/A	N/A	N/A	CNGBI 1400.25 Vol 752
Compile information including witness statements, if applicable	N/A	N/A	N/A	N/A
Analyze and complete <i>Douglas</i> Factors worksheet	N/A	N/A	N/A	CNGBI 1400.25 Vol 752
Create Proposed Action Letter	N/A	N/A	N/A	CNGBI 1400.25 Vol 752 and Proposed Action Letter template
Send to LRS for review	N/A	N/A	N/A	N/A
Present to Employee; have Employee Sign acknowledging Receipt	Sign Proposed Action; has 14 calendar days to respond to D.O.	N/A	N/A	Employee can contact LRS for procedural guidance
Send signed copy to LRS	N/A	N/A	N/A	N/A
Provide complete Proposed Cat 2 Adverse Action Package to Deciding Official	N/A	Receive Proposed Cat 2 Adverse Action package from P.O.	N/A	N/A
N/A	Provide response to D.O. within 14 calendar days after receipt of proposal	Review Cat 2 Adverse Action Package and Contact LRS for Guidance	N/A	CNGBI 1400.25 Vol 752
N/A	N/A	Review Employee response; Review and complete <i>Douglas</i> Factors worksheet	N/A	If oral response, create MFR capturing statement; have employee sign and date
N/A	N/A	Render decision	N/A	Uphold Proposed Action, may reduce penalty, if warranted
N/A	N/A	Prepare Decision Letter; send to LRS for review	N/A	Use Decision Letter template; Include Douglas Factors

**Category 2 Adverse Actions: Suspension of more than 14 Calendar Days,
Reduce Pay or Grade, or Removal - Non-Bargaining Unit Employees (NBUEs)**

Proposing Official (PO)	Employee Option(s)	Deciding Official (DO)	Employee Option(s)	Comments
N/A	N/A	Present to employee; have employee sign and date acknowledging receipt	Either comply with decision or file Adverse Action Challenge (Appeal)	Employee: Administrative Grievance Process or contact LRS for other options
N/A	N/A	Send signed copy to LRS	N/A	N/A
N/A	N/A	Provide copy to P.O. for record	N/A	N/A

Non-disciplinary and Disciplinary Action Appeal Options						
Action	Bargaining Unit Status	Completed Action Disposition	Decision Appeal Type ²	Time Limit for Filing (Calendar Days) ¹	Appeal Filing Contact	References/Remarks
Non-disciplinary Actions - Counseling (Oral)	Bargaining Unit Employee (BUE) & Non-bargaining Unit Employee (NBUE)	Supervisor Records	N/A	N/A	N/A	Collective Bargaining Agreement (CBA), Article 11, Non-disciplinary and Disciplinary Actions dated 26 Oct. 2018, OHTPR 752
Non-disciplinary Actions - Letter of Admonition (LOA) (Written)	BUE & NBUE	Supervisor Records. Expunge from records once expired on date listed in LOA	N/A	N/A	N/A	Collective Bargaining Agreement (CBA), Article 11, Non-disciplinary and Disciplinary Actions dated 26 Oct. 2018, OHTPR 753
Disciplinary Actions - Letter of Reprimand (LOR)	BUE	HRO inserts into workforce member's eOPF. LOR is expunged on date provided in LOR.	Negotiated Grievance	NLT 60 days after receipt of LOR	Union	Collective Bargaining Agreement (CBA), Article 13, Grievance Procedures dated 26 Oct. 2018, OHTPR 752
Disciplinary Actions - Letter of Reprimand (LOR)	NBUE	HRO inserts into workforce member's eOPF. LOR is expunged on date provided in LOR.	Administrative Grievance	NLT 15 days after receipt of LOR	HRO Labor Relations Specialist	HRO Policy 21-024 Administrative Grievance Plan
Disciplinary Actions - Suspensions of fourteen (14) calendar days or less	BUE	Located in workforce member's permanent file in DCPDS	Negotiated Grievance	NLT 60 days after receipt of Decision Letter	Union	Collective Bargaining Agreement (CBA), Article 13, Grievance Procedures dated 26 Oct. 2018, OHTPR 752
	BUE	Located in workforce member's permanent file in DCPDS	Administrative Hearing	NLT 20 days after receipt of Decision Letter	HRO Labor Relations Specialist	CBA, Article 11, Disciplinary Actions
	BUE	Located in workforce member's permanent file in DCPDS	Appellate Review	NLT 20 days after receipt of Decision Letter	HRO Labor Relations Specialist	CBA, Article 11, Disciplinary Actions

Appeal Chart Notes:

1. Counting of Days. Follow-on actions must take place within a certain number of days. The day of the delivery is not counted. The first day of the specified time period is the next calendar day after delivery. All calendar days are then counted, provided that the last day of the period cannot be a non-work day. If the period ends on a non-work day, the follow-on action must be completed by close of business on the next scheduled work day. Five days are added from the postmark date to an employee's deadline for responding to a document served on the employee by regular mail.

2. An employee must select, in writing, his or her appeal choice. Once the workforce member has elected one of these procedures, the workforce member may not change thereafter to the other procedure.

Adverse Action Appeal Options						
Action	Bargaining Unit Status	Completed Action Disposition	Decision Appeal Type ²	Time Limit for Filing (Calendar Days) ¹	Appeal Filing Contact	References/Remarks
Adverse Actions - Suspension of more than fourteen (14) calendar days, Reduction in pay or grade, Removals	BUE	Located in workforce member's permanent file in DCPDS	Negotiated Grievance	NLT 60 days after receipt of Decision Letter	Union	CBA, Article 13, Grievance Procedures
	BUE	Located in workforce member's permanent file in DCPDS	Merit Systems Protection Board (MSPB)	NLT 30 days after effective date of action or receipt of Decision Letter, whichever is later	Employee can file electronically or via mail to MSPB	CBA, Article 12, Adverse Actions
Category 1 Adverse Actions - Suspension of fourteen (14) calendar days or less	NBUE	Located in workforce member's permanent file in DCPDS	Administrative Grievance	NLT 15 days after receipt of Decision Letter	HRO Labor Relations Specialist	HRO Policy 21-024 Administrative Grievance Plan
	NBUE	Located in workforce member's permanent file in DCPDS	Administrative Hearing	NLT 20 days after receipt of Decision Letter	HRO Labor Relations Specialist	CNGBI 1400.25 Vol. 753
	NBUE	Located in workforce member's permanent file in DCPDS	Appellate Review	NLT 20 days after receipt of Decision Letter	HRO Labor Relations Specialist	CNGBI 1400.25 Vol. 753
Category 2 Adverse Actions - Suspension of more than 14 calendar days, Reduction in pay or grade	NBUE	Located in workforce member's permanent file in DCPDS	Administrative Grievance	NLT 15 days after receipt of Decision Letter	HRO Labor Relations Specialist	HRO Policy 21-024 Administrative Grievance Plan
	NBUE	Located in workforce member's permanent file in DCPDS	Merit Systems Protection Board (MSPB)	NLT 30 days after effective date of action or receipt of Decision Letter, whichever is later	Employee can file electronically or via mail to MSPB	CNGBI 1400.25 Vol. 752 and 5 CFR Chapter 2, Part 1201
Category 2 Adverse Actions - Removal	NBUE	Located in workforce member's permanent file in DCPDS	Merit Systems Protection Board (MSPB)	NLT 30 days after effective date of action or receipt of Decision Letter, whichever is later	Employee can file electronically or via mail to MSPB	CNGBI 1400.25 Vol. 752 and 5 CFR Chapter 2, Part 1202

Appeal Chart Notes:

1. Counting of Days. Follow-on actions must take place within a certain number of days. The day of the delivery is not counted. The first day of the specified time period is the next calendar day after delivery. All calendar days are then counted, provided that the last day of the period cannot be a non-work day. If the period ends on a non-work day, the follow-on action must be completed by close of business on the next scheduled work day. Five days are added from the postmark date to an employee's deadline for responding to a document served on the employee by regular mail.

2. An employee must select, in writing, his or her appeal choice. Once the workforce member has elected one of these procedures, the workforce member may not change thereafter to the other procedure.

References: <https://hr.ong.ohio.gov/Technicians/Regulations-Policies>

Bargaining Unit Employee (BUE):

1. Collective Bargaining Agreement (CBA) dated 26 October 2018
2. Ohio Technician Personnel Regulation (TPR) 752, Discipline and Adverse Action dated 19 September 2011
3. TPR 752-1, Adverse Action Appeals and the National Guard (NG) Hearing Examiner Program dated 27 Aug 2010
4. 5 CFR Chapter 2, "Merit Systems Protection Board," Part 1201, "Practices and Procedures"

Non-bargaining Unit Employee (NBUE):

1. HRO Policy 21-024 Administrative Grievance Plan dated 31 August 2021
2. Chief National Guard Bureau Instruction (CNGBI) 1400.25 Vol. 752, NG Technician and Civilian Personnel Discipline and Adverse Action Program dated 29 June 2020
3. CNGBI 1400.25 Vol. 753, NG Technician and Civilian Personnel Adverse Action Appeals and Hearing Examiner Program dated 29 June 2020
4. 5 CFR Chapter 2, "Merit Systems Protection Board," Part 1201, "Practices and Procedures"