

THE MILITARY DEPARTMENT PROGRESSIVE DISCIPLINE POLICY & PROCEDURE

It is the policy of the State Military Department that discipline is intended to be corrective and not punitive. For this reason the following steps should be taken in cases where employees conduct in the work place requires corrective measures.

COUNSELING is to be issued by the supervisor and is not considered discipline.

1. Supervisors will first **oral counsel** any employee whose behavior in the work place requires corrective measures. Supervisors should keep a record of the date and a summary of the oral counseling discussed.
2. If the unacceptable behavior continues, the supervisor shall either **oral counsel** a second time or issue **an oral counseling reduced to writing**. An oral counseling reduced to writing is a written summary that explains to the employee if the unacceptable behavior continues, it will result in disciplinary action being taken. The supervisor should have the employee sign and date the document acknowledging receipt of the written counseling. All counseling should be kept in a supervisory file for the record.

DISCIPLINE is to be done by the Human Resource Manager and includes reprimand, suspension, demotion and dismissal. Given the situation, the seriousness of the misconduct, and/or it's potential impact on the organization, discipline may started at any level in the progression. Steps may be skipped in the sequence where appropriate with the approval of the Human Resource Manager and the Assistant Adjutant General.

3. **Letter of Reprimand** – This is issued by the Human Resource Manger after review of the supporting documentation from the supervisor describing the behavior causing the action and summarizing efforts to date (counseling) to correct the situation.
4. **Suspension Without Pay** – This is issued by the Human Resource Manager after issuance of a letter of reprimand and further review of the documentation from the supervisor describing the continued unacceptable behavior. Prior to issuing a suspension without pay, a Loudermill hearing will be held with the supervisor, the Human Resource Manager, the employee and the respective union in accordance with the State Personnel Regulation 5-240-7a. Following the meeting, the Human Resource Manager will inform the employee of the decision from the meeting in accordance with Regulation 5-240-8a and shall notify the employee with the term of the suspension being imposed.

5. **Demotion** – This is issued by the Human Resource Manager after issuance of a Letter of Reprimand and/or Suspension and further review of supporting documentation from the supervisor describing the unacceptable behavior. Prior to imposing the disciplinary demotion, a Loudermill hearing will be held with the supervisor, the Human Resource Manager, the employee and the respective union in accordance with the State Personnel Regulation 5-240-7a. Following the meeting, the Human Resource Manager will inform the employee of the decision from the meeting in accordance with Regulation 5-240-8a and shall notify the employee of the effective date of the disciplinary demotion.

6. **Dismissal** - This is issued by the Human Resource Manager after review of the supporting documentation of continued unacceptable behavior. Prior to the issuance of a dismissal, a Loudermill hearing will be held with the supervisor, the Human Resource Manager, the employee and the respective union in accordance with the State Personnel Regulation 5-240-7a. Following the meeting, the Human Resource Manager will inform the employee of the decision from the meeting in accordance with Regulation 5-240-8a and shall notify the employee of the effective date of the dismissal in accordance with Regulation 5-240-8b.