

MODEL LETTER TO ASSURE DUE PROCESS IN EMPLOYMENT DISCIPLINE SITUATIONS

(Date)

Name

Address

City, State, Zip

RE: Due Process for Proposed Discipline of _____.

Dear _____:

I have investigated your involvement in the following activities: *(detail the conduct/activities in which the employee may have engaged)*. Based on the investigation, I believe you have violated the following County policies: *(indicate which personnel rule, order, or written standard of conduct the activity violates; and if there is no rule, order, or standard of conduct, indicate that the conduct was inappropriate)*.

(Optional statement regarding previous discipline). You have been previously disciplined for similar behavior. *(Outline previous discipline, including the dates and type of discipline)*. This series of incidents reveals a pattern unprofessional behavior which leads me seriously question your ability to be a *(fill in position)* for *(fill in)* County.

As a result of the above information, it appears that disciplinary action up to and including *(suspension/termination)* may be warranted. You have a right to respond regarding this matter and the proposed discipline. You may present reasons and evidence to me, either orally or in writing, as to why the proposed action should not be taken. Your reasons must be presented to me within three working days *(may need more or less time depending on the circumstances)* of your receipt of this letter. In the event you fail to contact me by 5:00 p.m. on the third working day following your receipt of this letter, I will consider it as your waiver of the rights contained in this paragraph and I will make a decision based on the information presently available.

(If the employee has been suspended for investigatory purposes, the letter should include a statement that the employee will remain suspended until the investigation is complete. We suggest that the suspension should be with pay.)

Sincerely,

Department Head (or appropriate title)