



# ADMINISTRATIVE PROCEDURES

Procedure Number: 23-13  
Effective Date: 8/11/1997  
Revision Date: 9/01/2018

  
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County Administrator

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SUBJECT: **DOCUMENTATION OF DISCIPLINARY AND OTHER PERSONNEL ACTIONS**

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DEPARTMENT RESPONSIBLE: **Human Resources**

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## I. STATEMENT

The purpose of this procedure is to promote uniformity in developing and processing the following types of documentation in accordance with the Pima County Merit System Rules (MSR), specifically MSR 12:

- Documented Verbal Counseling\* (Sample- **Attachment 1**)
- Letter of Counseling (Sample- **Attachment 2**)
- Notice of Right to Representation – Letter of Reprimand (Sample- **Attachment 3**)
- Letter of Reprimand (Sample- **Attachment 4**)
- Notice of Intent and Pre-action Meeting (Sample- **Attachment 5**)
- Disciplinary actions that require pre-action meetings (Sample- **Attachment 6**)
- Administrative Suspension (Sample available by request)
- Notice of Special Observation Period (Sample- **Attachment 7**)

*\*Pursuant to MSR 12, documentation of Verbal Counseling is optional.*

Prior to issuance to the employee, formal disciplinary actions (Letters of Reprimand, Suspensions, Demotions and Dismissals, to include Notices of Intent and Pre-action Meetings), as well as Administrative Suspension documentation, require submission for compliance review as indicated in the table below.

The primary purpose of the compliance review is to ensure that a department has clearly and accurately conveyed the unacceptable employee conduct and cited relevant directives violated. Departments are expected to submit documentation that follows the content and structure illustrated in the samples included in this procedure and to confirm that documents are edited for accuracy, grammar, spelling and formatting prior to submission for review.

Following submission for review by Human Resources Employment Rights, departments must forward documents that also require review by legal counsel to the Pima County Attorney's Office, Civil Division.

**Compliance Reviews:**

<b>Informal Disciplinary Actions</b>	<b>HR Employment Rights</b>	<b>Legal Counsel</b>
Documented Verbal Counseling (DVC)	Recommended	-
Letter of Counseling (LOC)	Recommended	-

<b>Formal Disciplinary Actions</b>	<b>HR Employment Rights</b>	<b>Legal Counsel</b>
Letter of Reprimand (LOR)	Required	-
Notice of Intent to Suspend, Demote or Dismiss & Pre-action Meeting	Required	Required
Notice of Suspension, Demotion or Dismissal	Required	Required

<b>Non-Disciplinary Actions</b>	<b>HR Employment Rights</b>	<b>Legal Counsel</b>
Notice of Intent to Suspend (Administrative)	Required	Required
Notice of Administrative Suspension	Required	Required
Notice of Special Observation Period (SOP)	Recommended	-

**II. PROCEDURE**

Disciplinary and other specified non-disciplinary personnel actions shall cite specific directives (Merit System Rules, Personnel Policies, Administrative Procedures, Board of Supervisors Policies, Department Procedures, etc.) that have been violated. In all instances the employee receives original document(s) and copies are distributed as indicated in the attached samples.

- A. A written Notice of Right to Representation must be given to the affected employee at least three (3) full work days prior to issuance of a Letter of Reprimand (LOR). The required Notice of Right to Representation shall contain the following elements, as illustrated in Attachment 3:
1. The date of issuance of the Notice and the date of the meeting when the LOR will be issued, with a minimum of three (3) full work days in between.
  2. A statement informing the employee of the right to representation at the meeting.
  3. A signature line for the employee to acknowledge receipt of the document. If the employee refuses to sign, a witness (typically a department personnel representative, manager, or supervisor) shall sign or initial, with the person administering the document, a brief notation on or near the signature line indicating the employee's refusal.
  4. Copy notations indicating distribution. The original document shall be given to the employee with a copy placed in the employee's department personnel file, as illustrated in the attachment.
- B. Letters of Counseling, formal disciplinary actions, Notices of Intent and Pre-action Meeting, and Administrative Suspensions shall be written in letter format on department letterhead. A Documented Verbal Counseling may be issued in a less formal memo format (see Attachment 1).

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The aforementioned documents shall contain the elements (1-12) enumerated below, unless otherwise specified and/or illustrated in Attachments 1, 2, 4, 5 and 6.

1. A date of issue on or before the effective date of the action. For disciplinary Notices of Intent and Pre-action Meeting (not to include Administrative Suspension Notices of Intent and Pre-action Meeting), the date of issue must be at least three (3) full work days prior to the meeting date.
2. The employee's name, classification title and department. Do not include home addresses, home telephone numbers or cell phone numbers on this document or in any related notes or logs.
3. A reference line citing the type of action (e.g., Letter of Reprimand) or intended action (e.g., Notice of Intent to Suspend and Pre-action Meeting) in full view at the top of the document.
4. For suspensions, demotions, dismissals or administrative suspensions, cite the effective date of the action and the date the pre-action meeting was held (see Item B.13 below).
5. Statement(s) summarizing the reasons for the action and specific violation citations (e.g., Merit System Rules, Personnel Policies, Administrative Procedures, Board of Supervisors Policies, Department Procedures). Cite the number/letter of each rule, policy and/or procedure violated, and quote its entire content.
6. Statement(s) providing a detailed summary of recent performance and/or behavioral events precipitating the need for issuance of disciplinary action.

Following the summary, provide a chronological history of discipline issued to, and/or action(s) taken with, the employee for related and/or unrelated performance/behavior to include, but not limited to:

- Informal discipline issued within the prior year
  - Formal discipline
  - Notice of Special Observation Period
  - Appraisal ratings of inconsistent or unsuccessful
  - Management referrals for the Employee Assistance Program (EAP)
7. Resources available to the employee including training, coaching and other assistance from management, if applicable (see Attachment 1 for an example).
  8. Statement(s) outlining specific job expectations and, if applicable, a time frame for change(s) to occur.
  9. For disciplinary actions other than dismissals (but not to include Notices of Intent and Pre-action Meeting), a statement advising the employee that further disciplinary action may be taken, up to and including dismissal, if the problem is not corrected. For Administrative Suspensions, a statement advising the employee that disciplinary action may be taken, up to and including dismissal, at the conclusion of an inquiry/investigation.

10. For Documented Verbal Counselings (DVC) and Letters of Counseling (LOC), a statement advising the employee that the action is neither grievable nor appealable, but that a written response may be submitted within five (5) calendar days of issuance and may be up to one (1) single-sided sheet that is legibly handwritten or typewritten (minimum 10 pt. font). Also include a statement advising that a written response (that meets the aforementioned criteria) will be attached to the DVC/LOC and removed from the employee's Department Personnel File twelve (12) months following the date of issuance of the discipline, and placed in a separate file and retained for the same period of time specified for the retention of Department Personnel Files in state records retention requirements.

For actions other than Documented Verbal Counselings, Letters of Counseling and Notices of Intent and Pre-action Meeting, a statement advising the employee of due process rights, if applicable (e.g., grievance/appeal time frames).

11. A signature line for the employee to acknowledge receipt of the document. If the employee refuses to sign, a witness (a department personnel representative, manager, or supervisor) shall sign or initial, with the person administering the document, a brief notation on or near the signature line indicating the employee's refusal.
12. Copy notations indicating distribution. The original document shall be given to the employee with copies placed in the appropriate personnel file(s).

For suspension, demotion, dismissal or administrative suspension, copies must be sent to the County Attorney's Office (Civil Division).

13. **Notices of Intent and Pre-Action Meetings**  
MSR 12 requires a pre-action meeting before a permanent employee is suspended, demoted, dismissed, placed on administrative suspension, or involuntarily terminated under MSR 11.5 B through D.

A notice of intent for a potential disciplinary suspension, demotion, dismissal or administrative suspension must be provided to the employee at least three (3) full work days prior to the pre-action meeting and shall include the following elements in addition to elements 1-3, 5-8 and 11-12 listed above as applicable and illustrated in Attachment 5:

- a. State the action the department intends to take. If issuing a suspension, indicate the length of time in number of days and hours (e.g., 1 day/8 hours). Exempt permanent employees may be placed on disciplinary suspension in one-day increments only and only without pay (not with reduced pay).
- b. Except for an Administrative Suspension Notice of Intent, the affected employee must be notified of the option to select and be assisted by a person who may participate in the discussions with the employee during such meetings. If after proper issuance of the notice the employee has not obtained an assistant, management will proceed without further delay.
- c. Inform the employee that this is an opportunity to address the statement of facts.
- d. Indicate date, time and place of the pre-action meeting.

**C. Notice of Special Observation Period**

Per MSR 12, the Notice of Special Observation Period must be presented to the affected employee upon the effective date and must contain the following elements as illustrated in Attachment 7:

1. The date of issue/effective date of the Special Observation Period (SOP).
2. The employee's name, classification title and department. Do not include home addresses, home telephone numbers or cell phone numbers on this document or in any related notes or logs.
3. Notice of Special Observation Period in full view at the top of the document.
4. Statement(s) summarizing the purpose of the SOP (i.e., the conduct involved).
5. Statement(s) specifying the length of the SOP, to include start and end dates.
6. A statement advising the employee that he/she will receive a written performance appraisal at the end of the SOP.
7. Statement(s) outlining the specific expectations and a time frame for evaluation during the SOP.
8. Statements(s) outlining consequences for unsuccessful performance or conduct during the SOP and for unsuccessful completion of the SOP.
9. A statement advising the employee that the SOP is a non-disciplinary action and therefore neither grievable nor appealable.
10. A signature line for the employee to acknowledge receipt of the Notice of SOP. If the employee refuses to sign, a witness (a department personnel representative, manager, or supervisor) shall sign or initial, with the person administering the document, a brief notation on or near the signature line indicating the employee's refusal.
11. Copy notations indicating distribution. The original document shall be given to the employee with copies placed in the appropriate personnel files as illustrated in the attachment.

References: Board of Supervisors Policy D 23.8  
Merit System Rules 11, 12, 13, and 14

**ATTACHMENT 1 – Page 1 of 1**  
**Sample: Documented Verbal Counseling (DVC)**

*On Department Letterhead*

**To:** Jane Doe ← [B2]  
**From:** Susan Supervisor  
**Date:** April 24, 2018 ← [B1]  
**Re:** Documented Verbal Counseling ← [B3]

This memo serves to document our verbal counseling conversation regarding your repeated and excessive tardiness. Over the past three weeks, beginning April 3 and through April 21, 2018, you have been at least fifteen minutes and up to thirty-five minutes late on seven occasions:

[B5]

- April 3 – 15 minutes late
- April 6 – 15 minutes late
- April 7 – 30 minutes late
- April 10 – 20 minutes late
- April 12 – 25 minutes late
- April 13 – 35 minutes late
- April 21 – 30 minutes late

[B6]

[B7]

During the conversation you confirmed having difficulty arriving at work on time, citing personal situations such as an unreliable babysitter, car problems, a faulty alarm clock, and a missing puppy as the reasons for your tardiness. You were offered a flex work schedule in an effort to curtail the problem, which you declined, stating that your current schedule was best for you. As discussed following each late arrival, as well as today, your tardiness is cited in Merit System Rule (MSR) 12.1.C.16 as constituting cause for discipline and violates Personnel Policies (PP) 8-104.B.1, and 8-119 A. and B.

[B8]

This is a very serious matter requiring immediate and sustained improvement. Although we empathize with your situation at home it is, nevertheless, your responsibility to be at work on time when you are scheduled as outlined in the rules and policies. Three instances of tardiness within this anniversary year, in addition to the seven instances referenced above, will result in further progressive disciplinary action up to and including dismissal.

[B10]

[B9]

Documented Verbal Counseling (DVC) is neither grievable nor appealable, however you have the option of submitting a written response within five (5) calendar days of issuance. Written responses may be up to one single-sided sheet that is legibly handwritten or typewritten (minimum 10 pt. font), and will be attached to the DVC and placed in your department personnel file. Both the DVC and any response submitted will be removed from your department personnel file twelve (12) months following the date of issuance, and be placed in a separate file and retained for the same period of time specified for the retention of department personnel files in state records retention requirements.

[B11]

Employee Signature *(Acknowledging Receipt of Memo Only)*

Date Received

Original: Employee ← [B12]

Copy: Department Personnel File (12 months) ← [B10]

**ATTACHMENT 2 – Page 1 of 2**  
**Sample: Letter of Counseling (LOC)**

*On Department Letterhead*

B1 → June 5, 2018

Jane Doe ←  
Classification Title ← B2  
Department ←

**LETTER OF COUNSELING**

B3

Dear Ms. Doe:

This Letter of Counseling is being issued for your continued, repeated tardiness. Merit System Rule (MSR) 12.1.C reads, in part, as follows:

- MSR 12.1.C. Any of the Following Constitute Cause for Discipline:
  16. Violation of the Rules of Conduct, Personnel Policy 8-119;

Your actions are in violation of the following Pima County Personnel Policies (PP):

- PP 8-104 B. Tardiness & Absence
  1. All employees are required to be at work on time on scheduled work days. If an employee is unavoidably detained or unable to report to work, the employee shall notify the Appointing Authority or designee at least one (1) hour before starting time unless otherwise specified by the Appointing Authority. Notification can be provided orally, in writing, by electronic means or by any other means specified by the employee's department. Failure to comply with notification requirements may constitute an unauthorized absence without pay and may result in disciplinary or corrective action.
- PP 8-119 Rules of Conduct

All County employees must observe the following basic work rule principles:

  - A. Observe Personnel Policies and Merit System Rules.
  - B. Report to work on scheduled work days at the proper starting time and remain at assigned work station for the scheduled periods, unless permission to leave has been granted by the supervisor or Appointing Authority.

B6

On May 17, 2018, and June 1 and 2, 2018, you arrived between 15 and 35 minutes late each day. This is not the first time your repeated late arrivals have been discussed with you. On April 24, 2018, you received Documented Verbal Counseling for seven (7) instances of tardiness in a three (3) week period and were informed that three (3) additional instances of tardiness during this anniversary year would result in further progressive disciplinary action.

**ATTACHMENT 2 – Page 2 of 2**  
**Sample: Letter of Counseling (LOC)**

Letter of Counseling  
Jane Doe, Classification Title  
June 5, 2018  
Page 2

On July 11, 2016, you received a Letter of Reprimand for discourteous treatment of the public and failure to perform a full day’s work in an efficient and professional manner in accordance with the methods and standards required by the County. At that time, you also received a management referral for the Employee Assistance Program (EAP).

B6

During your Performance Appraisal rating cycle of September 1, 2015, through September 1, 2016, you were rated “Inconsistent” in the Customer Service and Written Communications performance dimensions.

B8

I cannot stress enough the seriousness of this situation. It is your responsibility to arrive at work as scheduled and on time. Three (3) instances of tardiness within this anniversary year, in addition to the ten (10) instances documented to date, will result in further progressive disciplinary action up to and including dismissal.

B9

B10

Pursuant to Merit System Rule 12, Letters of Counseling are neither grievable nor appealable, however you have the option of submitting a written response within five (5) calendar days of issuance. Written responses may be up to one single-sided sheet that is legibly handwritten or typewritten (minimum 10 pt. font), and will be attached to the Letter of Counseling and placed in your department personnel file. Both the Letter of Counseling and any response submitted will be removed from your department personnel file twelve (12) months following the date of issuance, and be placed in a separate file and retained for the same period of time specified for the retention of department personnel files in state records retention requirements.

\_\_\_\_\_  
↗ Appointing Authority or Designee Signature

\_\_\_\_\_  
↗ Date Issued

B11

\_\_\_\_\_  
↗ Employee Signature  
*(Acknowledging Receipt of Letter Only)*

\_\_\_\_\_  
↗ Date Received

Original: Employee

B12

Copy: Department Personnel File (12 months)

**ATTACHMENT 3**

**Sample: Notice of Right to Representation for Letters of Reprimand**

*On Department Letterhead*

Jane Doe  
Classification Title  
Department

July 6, 2018

A1

**NOTICE OF RIGHT TO REPRESENTATION**

A2

This notice is to inform you that we will be issuing you a Letter of Reprimand on Wednesday, July 11, 2018, at 9:00 a.m., in the central conference room. You are entitled to representation during this meeting. Please advise us if you would like to proceed with this meeting prior to the scheduled date, otherwise the meeting is scheduled for the date and time stated in this notice.

\_\_\_\_\_ I waive my right to representation and wish to proceed.

\_\_\_\_\_ I acknowledge my right to representation and wish to proceed on the date proposed above.

A3

\_\_\_\_\_  
↗ Employee Signature  
(Acknowledging Receipt of Notice Only)

\_\_\_\_\_  
↗ Date Received

A4

Original: Employee

Copy: Department Personnel File

**ATTACHMENT 4 – Page 1 of 2  
Sample: Letter of Reprimand (LOR)**

*On Department Letterhead*

July 11, 2018

Jane Doe  
Classification Title  
Department

B2

B1

**LETTER OF REPRIMAND**

B3

Dear Ms. Doe:

This Letter of Reprimand is being issued for your continued, repeated tardiness. Merit System Rule (MSR) 12.1.C reads, in part, as follows:

- MSR 12.1.C. Any of the Following Constitute Cause for Discipline:
  16. Violation of the Rules of Conduct, Personnel Policy 8-119

B5

Your actions are in violation of the following Pima County Personnel Policies (PP):

- PP 8-104 B. Tardiness & Absence
  1. All employees are required to be at work on time on scheduled work days. If an employee is unavoidably detained or unable to report to work, the employee shall notify the Appointing Authority or designee at least one (1) hour before starting time unless otherwise specified by the Appointing Authority. Notification can be provided orally, in writing, by electronic means or by any other means specified by the employee's department. Failure to comply with notification requirements may constitute an unauthorized absence without pay and may result in disciplinary or corrective action.
- PP 8-119 Rules of Conduct

All County employees must observe the following basic work rule principles:

  - A. Observe Personnel Policies and Merit System Rules.
  - B. Report to work on scheduled work days at the proper starting time and remain at assigned work station for the scheduled periods, unless permission to leave has been granted by the supervisor or Appointing Authority.

B6

On June 8, June 15 and July 6, 2018, you arrived between 15 and 40 minutes late each day. This is not the first time your repeated late arrivals have been discussed with you. On April 24, 2018, you received Documented Verbal Counseling for seven (7) instances of tardiness. On June 5, 2018, you received a Letter of Counseling for three (3) additional instances of tardiness.

On July 11, 2016, you received a Letter of Reprimand for discourteous treatment of the public and failure to perform a full day's work in an efficient and professional manner in accordance with the methods and standards required by the County. At this time, you also received a management referral for the Employee Assistance Program (EAP).

During your Performance Appraisal rating cycle of September 1, 2015, through September 1, 2016, you were rated "Inconsistent" in the Customer Service and Written Communications performance dimensions.

**ATTACHMENT 4 – Page 2 of 2**  
**Sample: Letter of Reprimand (LOR)**

Letter of Reprimand  
Jane Doe, Classification Title  
July 12, 2018  
Page 2

Once again, I cannot stress enough the magnitude of this situation. Immediate improvement is required. It is your responsibility to arrive at work as scheduled and on time. Three (3) more instances of tardiness within this anniversary year, in addition to the thirteen (13) instances documented to date, will result in further disciplinary action, up to and including dismissal.

B8

B9

Pursuant to Merit System Rule 13, you have the right to grieve this action within ten (10) business days of receipt.

B10

\_\_\_\_\_  
↗ Appointing Authority or Designee

\_\_\_\_\_  
↗ Date Issued

B11

\_\_\_\_\_  
↗ Employee  
*(Acknowledging Receipt of Letter Only)*

\_\_\_\_\_  
↗ Date Received

Original: Employee

B12

Copies: Department Personnel File  
Human Resources, Employment Rights  
Human Resources, Records Center (Official Personnel File)

**ATTACHMENT 5 - Page 1 of 2**  
**Sample: Notice of Intent and Pre-action Meeting**

*On Department Letterhead*

August 3, 2018

Jane Doe ← [B2]  
Classification Title  
Department

[B1]

[B3]

[B13.a]

**NOTICE OF INTENT TO SUSPEND and PRE-ACTION MEETING**

Dear Ms. Doe:

Pursuant to Merit System Rule 12.2.B.2, it is my intent to suspend you for one (1) work day (8 hours) without pay for your repeated and chronic tardiness. Merit System Rule (MSR) 12.1.C reads, in part, as follows:

- MSR 12.1.C. Any of the Following Constitute Cause for Discipline:
  16. Violation of the Rules of Conduct, Personnel Policy 8-119

Your actions are in violation of the following Pima County Personnel Policies (PP):

- PP 8-104 B. Tardiness & Absence
  1. All employees are required to be at work on time on scheduled work days. If an employee is unavoidably detained or unable to report to work, the employee shall notify the Appointing Authority or designee at least one (1) hour before starting time unless otherwise specified by the Appointing Authority. Notification can be provided orally, in writing, by electronic means or by any other means specified by the employee's department. Failure to comply with notification requirements may constitute an unauthorized absence without pay and may result in disciplinary or corrective action.
- PP 8-119 Rules of Conduct

All County employees must observe the following basic work rule principles:

  - A. Observe Personnel Policies and Merit System Rules.
  - B. Report to work on scheduled work days at the proper starting time and remain at assigned work station for the scheduled periods, unless permission to leave has been granted by the supervisor or Appointing Authority.

[B6]

Since July 13, 2018, you have arrived at work between 45 and 65 minutes late on four (4) occasions (July 13, 17, 26 and 31). On each of these four (4) occasions of tardiness over a three-week period, you failed to notify your supervisor or anyone in the department (per Personnel Policy 8-104 B.1. noted above) prior to or following each late arrival. Upon arriving at work, you went directly to your workstation and commenced working without speaking to anyone regarding your late arrival.

You have been issued the following progressive discipline for your tardiness: On April 24, 2018, you received Documented Verbal Counseling for seven (7) instances of tardiness. On June 5, 2018, you received a Letter of Counseling for three (3) additional instances of tardiness. On July 11, 2018, you received a Letter of Reprimand for three (3) additional instances of tardiness and you were placed on a Notice of Special Observation period for six (6) months to closely monitor your repeated tardiness.

**ATTACHMENT 5 - Page 2 of 2**  
**Sample: Notice of Intent and Pre-action Meeting**

Notice of Intent to Suspend and Pre-action Meeting  
Jane Doe, Classification Title  
August 3, 2018  
Page 2

On July 11, 2016, you received a Letter of Reprimand for discourteous treatment of the public and failure to perform a full day's work in an efficient and professional manner in accordance with the methods and standards required by the County. At this time, you also received a management referral for the Employee Assistance Program (EAP).

B6

During your Performance Appraisal rating cycle of September 1, 2015, through September 1, 2016, you were rated "Inconsistent" in the Customer Service and Written Communications performance dimensions.

Although we empathize with your home situation, which you indicated to be the cause of most of your late arrivals at work, it is your responsibility to be at work when you are scheduled as outlined in rules and policies. I cannot stress enough the seriousness of this situation. Your repeated failure to be at your workstation on time is adversely affecting your coworkers that have to cover your duties in your absence.

B8

This is official notice, pursuant to Merit System Rule 12.1.B., that your attendance is requested at a Pre-action Meeting. Pre-action Meetings are required prior to suspensions. You are entitled to representation during this meeting. Please advise us if you would like to proceed with this meeting prior to the scheduled date, otherwise the meeting is scheduled for the date and time stated below.

B13.b

The purpose of the Pre-action Meeting is to allow you the opportunity to respond to these statements of fact. Your input may refute them. If you have any questions regarding this meeting, please feel free to contact me.

B13.c

B13.d

Pre-action Meeting Date & Time: Friday, August 11, 2018, at 10:15 am  
Pre-action Meeting Location: Conference Room B, Second Floor – 145 W. Congress

↗ Appointing Authority or Designee

↗ Date Issued

B11

↗ Employee (*Acknowledging Receipt of Notice Only*)

↗ Date Received

Original: Employee

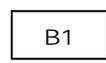
B12

Copies: Department Personnel File  
Human Resources, Employment Rights  
County Attorney, Civil Division

**ATTACHMENT 6 - Page 1 of 2**  
**Sample: Disciplinary actions that require a pre-action meeting**

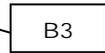
*On Department Letterhead*

Jane Doe  
Classification Title  
Department



August 14, 2018

**NOTICE OF SUSPENSION**



Dear Ms. Doe:



This Notice of Suspension for one (1) work day (8 hours) without pay effective August 15, 2018, is being issued pursuant to Merit System Rule 12.2.B.2. for your repeated and chronic tardiness. Merit System Rule (MSR) 12.1.C reads, in part, as follows:

- MSR 12.1.C. Any of the Following Constitute Cause for Discipline:
  16. Violation of the Rules of Conduct, Personnel Policy 8-119



Your actions are in violation of the following Pima County Personnel Policies (PP):

- PP 8-104 B. Tardiness & Absence
  1. All employees are required to be at work on time on scheduled work days. If an employee is unavoidably detained or unable to report to work, the employee shall notify the Appointing Authority or designee at least one (1) hour before starting time unless otherwise specified by the Appointing Authority. Notification can be provided orally, in writing, by electronic means or by any other means specified by the employee's department. Failure to comply with notification requirements may constitute an unauthorized absence without pay and may result in disciplinary or corrective action.
- PP 8-119 Rules of Conduct

All County employees must observe the following basic work rule principles:

  - A. Observe Personnel Policies and Merit System Rules.
  - B. Report to work on scheduled workdays at the proper starting time and remain at assigned work station for the scheduled periods, unless permission to leave has been granted by the supervisor or Appointing Authority.



Since July 13, 2018, you have arrived at work between 45 and 65 minutes late on four (4) occasions (July 13, 17, 26 and 31). On each of these occasions of tardiness over a three-week period, you failed to notify your supervisor or anyone in the department (per Personnel Policy 8-104 B.1. noted above) prior to or following each late arrival. Upon arriving at work, you went directly to your workstation and commenced working without speaking to anyone regarding your late arrival.

You have been issued the following progressive discipline for your tardiness: On April 24, 2018, you received Verbal Counseling for seven (7) instances of tardiness. On June 5, 2018, you received a Letter of Counseling for three (3) additional instances of tardiness. On July 11, 2018, you received a Letter of Reprimand for three (3) additional instances of tardiness and you were placed on a Notice of Special Observation period for six (6) months to closely monitor your repeated tardiness.

**ATTACHMENT 6 - Page 2 of 2**  
**Sample: Disciplinary actions that require a pre-action meeting**

Notice of Suspension  
Jane Doe, Classification Title  
August 14, 2018  
Page 2

On July 11, 2016, you received a Letter of Reprimand for discourteous treatment of the public and failure to perform a full day's work in an efficient and professional manner in accordance with the methods and standards required by the County. At this time, you also received a management referral for the Employee Assistance Program (EAP).

B6

During your Performance Appraisal rating cycle of September 1, 2015, through September 1, 2016, you were rated "Inconsistent" in the Customer Service and Written Communications performance dimensions.

B8

Although we empathize with your home situation, which you indicated to be the cause of most of your late arrivals at work, it is your responsibility to be at work when you are scheduled as outlined in rules and policies. Your repeated failure to be at your workstation on time is adversely affecting your coworkers that have to cover your duties in your absence.

Pursuant to Merit System Rule 12.1.B. a Pre-action Meeting was conducted on August 11, 2018, to allow you the opportunity to respond to these charges. You did not provide any information during this meeting to refute the charges or mitigate the intended discipline.

B4

B9

I cannot stress enough the seriousness of this situation. If your repeated tardiness is not corrected immediately, further disciplinary action may be taken against you, up to and including dismissal.

Pursuant to Merit System Rule 14, you have the right to appeal this action within ten (10) calendar days of receipt of this notice. For information on the appeal process, you may contact Human Resources Employment Rights at 724-2728.

B10

↗ Appointing Authority or Designee

↗ Date Issued

B11

↗ Employee (*Acknowledging Receipt of Notice Only*)

↗ Date Received

Original: Employee

B12

Copies: Human Resources, Employment Rights  
Human Resources, Records Center (Official Personnel File)  
County Attorney, Civil Division  
Department Personnel File

**ATTACHMENT 7**

**Sample: Notice of Special Observation Period (SOP)**

*On Department Letterhead*

July 12, 2018

Jane Doe  
Classification Title  
Department

C2

C1

C3

**NOTICE OF SPECIAL OBSERVATION PERIOD**

C4

Dear Ms. Doe:

C5

In accordance with Merit System Rule 12.4, this notice is to inform you that you are being placed on a Special Observation Period for six (6) months effective July 12, 2018. The purpose of this Special Observation Period is to closely monitor your repeated tardiness. The Special Observation Period will end on January 12, 2019, at which time you will be issued a special performance appraisal specific to the performance issues being monitored.

During this Special Observation Period, you will be evaluated monthly on your ability to comply with the following expectations:

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1. You are not to be tardy.
2. If you are going to be late due to circumstances beyond your control, you are to notify the Appointing Authority or designee at least one hour before starting time, or as soon as practicable.

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Successful completion of this Special Observation Period will depend on your ability to show immediate improvement following issuance, and to meet and maintain sustained compliance with the above expectations. Unsuccessful performance or conduct during the Special Observation Period may result in disciplinary action taken during the Special Observation Period. Unsuccessful completion of the Special Observation Period may result in disciplinary action up to and including dismissal, taken at the end of the Special Observation Period.

A Special Observation Period is a non-disciplinary action and, therefore, neither grievable nor appealable.

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➤ Appointing Authority or Designee

➤ Date Issued

C10

➤ Employee  
(Acknowledging Receipt of Notice Only)

➤ Date Received

Original: Employee

C11

Copies: Department Personnel File  
Human Resources, Records Center (Official Personnel File)