

LETTER OF WARNING

UPTE TX Article 7 - Corrective Action/Discipline Dismissal SCOPE: University Professional and Technical Employees

Summary

A Letter of Warning normally consists of five (5) sections:

1. Description of the action being taken and the deficiency;
2. Statement of what the employee must (or must not) do to correct the performance or misconduct;
3. Statement of the Action that may be taken if the correction is not made;
4. Information about appeal rights;
5. A concluding section that lists the documents considered in the decision to issue the Letter of Warning. A Proof of Service shall also be attached;

You must consult Employee & Labor Relations on proposed corrective actions.

Instructions are in Boldface Type

[Date]

[Employee's Name]

RE: Letter of Warning (Example)

Section 1: Describe the action being taken and the misconduct or performance deficiency. Cite specific examples. Describe behavior, not "attitude." (See TX Article 7)

Keep in mind that your objective is to lay out a clear and factual foundation of all information that led to your decision to take this action. Remember that in addition to communicating to the employee, this letter may also be read by an employee representative or an independent reviewer in order to assess whether the action you took was well founded and reasonable.

I am issuing this letter of warning because of your excessive absenteeism and your failure to follow our department's attendance standards. On Monday, November 6, 2003, you did not report to work or notify me of your absence. General attendance rules require an employee to phone her/his supervisor prior to, or at the beginning of their shift if s/he will be absent or unexpectedly late for work. When I had not heard from you by 9 AM on Monday, I called and left a message on your answering machine asking you to return my call, which you failed to do. This morning, when I asked you what happened, you said you were sick, had forgotten to call, and did not know I had left a message because you had turned off the telephone's ringer.

You and I have previously discussed attendance. When you joined our department, I went over my expectations on attendance with you. We talked about this issue again on January 20, 2003, when I expressed concern over your frequent absences. Between January and June, you had seven more incidents of absence or tardiness, for a total of 62 hours.

On June 1, 2003, we discussed your performance evaluation, which assessed you as "needs improvement" due to your poor attendance. Since your June performance evaluation, you have been absent or late to work 10 separate times, for a total of 75 hours missed. This is unacceptable. When you are not at work, other staff members must assume your workload, and some tasks are left undone.

Section 2: Clarify your expectations. You may want to use specific examples in order to ensure that the employee understands what you want done. State when you want the correction made. For most types of performance deficiencies or misconduct, you will want correction "on an immediate and sustained basis."

I expect you to improve your attendance to an acceptable level on an immediate and sustained basis. You must submit a verification of illness from your physician for all absences due to personal or family illness.

In a few instances, such as failure to perform timely work, it may be appropriate to add deadlines, but be careful. Do not convey to the employee that s/he has three months to begin to correct the problem or to perform at a level s/he can already achieve.

I expect you to complete your work on time on an immediate and sustained basis. As for the current backlog, I expect you to complete the daily project logs for September and October by November 15, and complete the November entries by November 30.

Section 3: State the probable action to be taken if the offense is repeated or deficiency persists.

Failure to meet my expectations may result in further corrective action up to and including dismissal.

Section 4: State the employee's right to appeal.

You have a right to request review of this action pursuant to the provisions of the UC/UPTX Agreement Article 10, Grievance Procedure. If you wish to request review of this action, you must do so in writing, using the appropriate form. Your written request for review must be received in the campus Labor Relations Office no later than 30 calendar days from the date of this letter.

Section 5: All materials that were relied upon in considering this action must be listed in the attachments and attached to the letter. Document examples include attendance records, time cards, memos, employee development worksheets, performance evaluations, schedules, departmental or university policies, etc. If there are many documents, you should number them sequentially.

A Proof of service must be attached. The copies specified below should also be listed if relevant.

[Signature of Supervisor]
[Supervisor's Title]

Attachments: Department's Attendance Standards (1)
June 1, 2003 Performance Evaluation (2)
Attendance Record – June through November 2002 (3)

Proof of Service

cc: [Department Head]
[Department File]
[Employee & Labor Relations Consultant]
[Personnel File (via Employee & Labor Relations)]