

Types of Adverse Actions and Misconduct

Formal Reprimand

This is the least severe form of formal adverse action that can be taken. A formal reprimand becomes a part of the employee's record at the State Personnel Board. Unless specified for a shorter period, formal reprimands remain in an employee's file for three years. All other adverse actions are permanent documents of record.

Suspension Without Pay

This action may be taken against employees with permanent, probationary, limited-term or temporary authorization status. A suspension is a temporary separation without pay.

Reduction in Pay

This form of adverse action is usually used in place of a suspension against an employee whose removal from the work site is not necessary, but the offense is such that serious adverse action is warranted. The reduction can be one or more steps in the salary range down to the minimum. It may be for a specific period (one pay period up to several months) or it can be permanent, so that the employee will be required to "earn" his or her salary adjustments annually.

Demotion

This form of adverse action is usually used in place of a suspension or reduction in pay against an employee whose continued service is needed, but who is not working at the level of his or her classification. This should be used only when an employee qualifies for and can be expected to do a satisfactory job at the lower level. Demotion can be to the maximum salary of the next lower class; however, it is possible to demote to any lower class at a lower than maximum salary. The action must contain the exact salary step recommended. A demotion may be permanent or temporary. For temporary demotions, the employee will return on a specified date to the higher class at the original salary.

Termination

This action is normally taken for exceptionally serious infractions, continued failures in work performance, and/or continuing offenses that can no longer be tolerated. Care should be taken to determine that the employee had adequate instruction and supervision and was given every opportunity to correct weaknesses. Dismissal is often preceded by other forms of adverse action.