

<b>EMPLOYEE DISCIPLINARY HEARING GUIDELINES</b>	<b>Effective Date: 1/1/15</b>  Page: 1 of 1  New
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These guidelines apply to you if you have decided to attend an employee disciplinary hearing. The reason for this hearing is to give you a chance to influence the approved disciplinary action by presenting new, factual information regarding the alleged rule violation(s) to the supervisor conducting the hearing.

<b>1.</b>	<p><b>Presenting Your Defense and Using a Representative.</b> If the representative that you identified on the Notice of Employee Hearing attends the hearing:</p> <ul style="list-style-type: none"> <li>• you must specify at the beginning of the employee hearing whether you or your representative is presenting your defense;</li> <li>• you may respond to questions from your supervisor or your representative even if your representative is presenting your defense. However, you and your representative must not speak at the same time; and</li> <li>• you may have quiet conversations with your representative regarding information that may be provided to your supervisor.</li> </ul> <p>Note: An employee hearing is administrative in nature and is not subject to common law or statutory rules of evidence. Objections at the employee hearing by you or your representative are limited to substantive issues related to application of policy or procedural compliance.</p>
<b>2.</b>	<p><b>Conduct by Participants.</b> All parties, including your representative, must conduct themselves in a professional, respectful manner. The supervisor:</p> <ul style="list-style-type: none"> <li>• will not issue more than one reminder regarding the expected conduct;</li> <li>• may require the offending person to leave the hearing if he/she continues to act in an unprofessional, disrespectful manner.</li> </ul>
<b>3.</b>	<p><b>Leaving the Hearing.</b></p> <ul style="list-style-type: none"> <li>• If you voluntarily leave the hearing or if you are instructed to leave due to unprofessional, disrespectful conduct, the supervisor will end the hearing.</li> <li>• If the representative voluntarily leaves the hearing or is instructed to leave due to unprofessional, disrespectful conduct, the supervisor will continue the hearing as long as you are present.</li> </ul>
<b>4.</b>	<p><b>Recording an Employee Hearing.</b> You and/or your representative may take notes during the hearing. However, audio taping, videotaping, or verbatim written recording is not permitted.</p>
<b>5.</b>	<p><b>Americans with Disabilities Act (ADA) Accommodation.</b> It is your responsibility to notify the local employee relations coordinator if you require an accommodation.</p>
<b>6.</b>	<p><b>Time Reporting/Expenses.</b></p> <ul style="list-style-type: none"> <li>• Your attendance at the employee hearing is considered official business. Your time to attend the hearing will be paid time even if you have been suspended prior to the employee hearing.</li> <li>• If the location of the employee hearing is outside the local area of your assigned duty station, the time you are required to travel to and from the employee hearing is reported as time worked. Eligible travel expenses are reported in accordance with the TJJJ Travel Procedure Manual.</li> <li>• There is no authority for TJJJ to pay compensation to or reimburse a representative's expenses, regardless of whether the representative is a state employee or an individual from outside state service. Appearance as a representative at an employee hearing is not considered official business. If an employee acting as a representative attends an employee hearing held during working hours, the employee must obtain prior approval to use accrued leave or, if accrued leave is not available, unpaid leave to attend the employee hearing.</li> </ul>