#### Supervisors: The instructions in red are intended to be deleted after you make this document your own.

#### M E M O R A N D U M

Date: \_\_\_\_\_\_\_\_\_\_

To: \_\_\_\_\_\_\_\_\_\_\_

Employee Name/Position

From: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Supervisor Name/Position

**RE: Written Notice of Discipline Decision**

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_ you were served with a Written Notice of Allegations (“WNOA”), advising you of allegations of infractions, which, if substantiated, constituted just cause for taking disciplinary action against you under the Nebraska Supreme Court Personnel Policies and Procedures.

You met with me and \_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_\_\_, and were given an opportunity to present mitigating circumstances, information and justification for the actions alleged below.

**DESCRIPTION OF ALLEGATION # 1 (Supervisor: Cut and Paste Allegations and Violations from Written Notice of Allegations.)**

On \_\_\_\_\_\_, 2021, you \_\_\_\_(who, what, when, where)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. (See attached.)

**DESCRIPTION OF ALLEGATION # 2 (Cut and Paste)**

**VIOLATIONS: (Select as per Notice of Allegations. Delete those that do not apply.)**

The above substantiated allegations constitute reasons for imposing disciplinary action under the Supreme Court Personnel Policies and Procedures:

Reasons for Imposing Disciplinary Action—A supervisor shall take appropriate disciplinary action if an employee commits one or more of the following:

1. Violation of, or failure to comply with, the State's Constitution or statutes; an order of a court; codes of conduct; or published rules, regulations, policies, or procedures of the Nebraska Court System or the State of Nebraska.

2. Failure or refusal to comply with a lawful order or to accept a reasonable or proper assignment from an authorized supervisor.

3. Inefficiency, incompetence, or negligence in the performance of duties.

4. Unlawful manufacture, distribution, dispensation possession or use of a controlled substance or alcoholic beverages in the workplace or reporting for duty under the influence of alcohol and/or unlawful drugs.

5. Negligent or improper use of public property, equipment, or funds, or conversion of same to one's own use.

6. Use of undue influence to gain or attempt to gain promotion, leave, favorable assignment, or other individual benefit or advantage.

7. Falsification, fraud, or omission of required information on the employment application/resume.

8. Unauthorized or improper use of any type of leave, or abuse of meal and rest periods.

9. Repeated tardiness, leave abuse, or unauthorized leave, including unauthorized departure from the work area.

10. Failure to maintain satisfactory and harmonious working relationships with the public or other employees.

11. Failure to obtain and maintain current license or certification required by law or policy as a condition of employment.

12. Conviction of a felony.

13. Repeated failure to make reasonable provision for payment of personal debts which result in more than one garnishment except in cases of court ordered child support payments.

14. Insubordinate acts or language which seriously hampers the Nebraska Court System’s ability to control, manage or function.

15. Acts which bring discredit upon oneself, the Nebraska Court System, and the state.

16. Acts or conduct (on or off the job) which adversely affect the employee’s performance and/or the Nebraska Court System’s performance or function.

17. Workplace harassment based in whole or in part on race, color, sex, religion, age, disability or national origin which manifests itself in the forms of comments, jokes, printed material, and/or unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature.

18. Possession of materials and/or utterance of comments in the workplace that are derogatory toward a group or individual based on race, gender, color, religion, disability, age or national origin.

### Prior Disciplinary Actions (Same as WNOA)

Written Warning, \_\_\_\_\_\_\_\_\_\_, 2020

6-month Disciplinary Probation, \_\_\_\_\_\_\_, 2021

Suspension, \_\_\_\_\_\_\_\_\_\_, 2021

**Prior Supervisory Counseling**

You were provided supervisory counseling regarding your performance on the below dates: **(As per WNOA)**

\_\_\_\_\_\_\_\_\_\_, 2021

\_\_\_\_\_\_\_\_\_\_, 2020

**YOUR RESPONSE TO ALLEGATIONS (Summary of Employee’s statement provided at the mitigation meeting, including what was admitted or denied. If employee presented written materials, provide as attachment and reference it here.)**

At the mitigation meeting on \_\_\_\_\_\_\_\_, you stated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**MANAGEMENT’S REPLY (Any response you feel necessary for the record based on mitigation meeting or written reply from employee. You may refute mitigating evidence presented by the employee but are not obligated to speak to employee response point-by-point. You may also retract allegations if they have been proven to be incorrect.)**

In response to the information you have provided, I would like to speak to \_\_\_\_\_\_\_

**DECISION**

After consideration of the evidence and information provided to you in the “Written Notice of Allegations” and the information you provided in your response, I have determined that the allegations are substantiated, and that there is just cause for imposing discipline on you in accordance with the Nebraska Supreme Court Personnel Policies and Procedures disciplinary action provision.

This Notice of Discipline constitutes a **(Designate level of Discipline from list below)** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ based upon the substantiated violation of, or failure to comply with the policies and procedures of the Nebraska Supreme Court.

* *written warning*
* *disciplinary probation* *effective \_\_\_\_, 2021*
* *unpaid suspension of \_\_\_ days*  *effective \_\_\_\_, 2021*
* *demotion to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ effective,\_\_\_\_\_\_\_\_ 2021*
* *termination effective \_\_\_\_, 2021*

(If relevant: Going forward it will be expected that you \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Any future violations or failures to comply may result in further disciplinary action, up to and including dismissal.

Signed,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Supervisor

**EMPLOYEE ACKNOWLEDGMENT OF RECEIPT**

I am aware that a copy of this Notice of Discipline will be placed in my personnel file. I have been given a copy of the Notice of Discipline. I understand that my signature does not mean agreement with the content.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Employee Date**