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

MEMORANDUM

Date: \_\_\_\_\_\_\_\_, 202\_

To: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Position Title

From: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Supervisor Title

**Subject: Written Notice of Allegations**

This is notice advising you of allegations of infractions, which, if substantiated, constitute just cause for taking disciplinary action against you under the Nebraska Supreme Court Personnel Rules and Procedures.

On \_\_\_\_ at \_\_\_\_\_\_ \_\_a.m., you are scheduled to meet with me and \_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_ regarding these allegations. At that time, you will have the opportunity to present mitigating circumstances and information about these allegations that justify for actions alleged. If you are unable to meet with me as scheduled, it is your responsibility to make other arrangements directly with me to reschedule the meeting or submit a written reply to these allegations. If you fail to appear at the meeting, and/or if you do not make other arrangements with me. I will proceed to make my decision based upon the information I have in my possession.

I am considering (Supervisor: list the appropriate disciplinary action(s) being consider. Forms of Discipline are outlined in [Personnel Policies and Procedures Manual, 39. D. Forms of Discipline](https://supremecourt.nebraska.gov/personnel-and-miscellaneous-rules/nebraska-supreme-court-personnel-policies-and-procedures-manual/39)) as the disciplinary action.

You have the right to representation at this meeting. If you choose an attorney, please let me know at least 24 hours prior to the meeting.

cc: Human Resources

Attachments (A-\_)

**DESCRIPTION OF ALLEGATION # 1 (Supervisor: Create a caption for each type of allegation (Example: *Failure to enter accurate data in NPACS/JUSTICE*). You may have one allegation with multiple examples or multiple allegations (each being a different type of infraction/policy violation).**

**Provide the reference for the Allegation. This reference is the procedure, policy, code, statue or law that is violated.**

**Provide the reason this allegation could lead to discipline (see Violations below)**

**Follow your allegation caption, reference and reason for disicpline with a description of each incident or example—just the facts. You may use different language than I suggest below but you will focus on who, what, when, where facts describing what the employee did or did not do, rather than your own investigatory process.**

* In the month of June, 2021, you \_\_\_\_(who, what, when, where)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. (See attachment \_\_.)

**DESCRIPTION OF ALLEGATION # 2 (Caption example: *Falling below standards in customer service)***

* On \_\_\_\_, 2021, you\_\_\_\_\_\_ (See attachment \_\_\_.)
* On \_\_\_\_\_\_\_\_\_\_\_\_\_, I heard you speak to a client . . . .

**DESCRIPTION OF ALLEGATION # 3 (Ex: *Unprofessional behavior toward co-worker*)**

* On or about, \_\_\_\_\_\_\_\_\_\_\_, 2021 ...

**VIOLATIONS:**

The above allegations, if substantiated, constitute reasons for imposing disciplinary action under the Supreme Court Personnel Policies and Procedures, which provides as follows:

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

**(Select the appropriate items from the NSC Personnel Policies and Procedures Reasons for Imposing Disciplinary Action list—and delete those which do not apply.)**

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 Judicial Branch 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 or failure to meet clearly established performance expectations.

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. This includes transmitting threatening, obscene, or harassing material through the Nebraska Judicial Branch or the State’s communication systems.

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 or abuse of any type of leave, meal, or rest periods.

### 9. Repeated tardiness, 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 while on the job or when performing job related functions.

### 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 multiple levies caused by two or more debts excluding cases of court ordered child support payments.

### 14. Insubordinate acts or language which seriously hampers the Nebraska Judicial Branch's ability to control, manage or function.

### 15. Acts which bring discredit upon oneself, the Nebraska Judicial Branch, and the state.

### 16. Acts or conduct (on or off the job) which adversely affect the employee's performance and/or the Nebraska Judicial Branch'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. Display or 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 List only *formal* discipline performed within past year— or any previous disciplinary actions taken for the same behaviors.)

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: **(Include sit-down meetings, memos, and emails, specifically addressing a performance issue(s) *directly with employee* in past year. Be specific on which of the counseling were regarding the behavior outlined in the allegations)**

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

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

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

Following the pre-disciplinary meeting, I will decide if disciplinary action is appropriate. You will be notified of this decision in writing.

Signed,

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

Supervisor Date

My signature indicates only that I have received a copy of this document and does not necessarily indicate agreement with the contents.

Employee Date