



## EMPLOYER INVESTIGATION—EMPLOYEE DISCIPLINE—GRIEVANCE PROCESS

1. Alleged incident involving employee occurs
2. Employer conducts an Investigatory Interview (i.e. Investigation) by meeting with employee
  - a. EMPLOYEE SHOULD EVOKE WEINGARTEN RIGHTS by requesting union representation
  - b. Employer MUST provide employee a TENNESSEN WARNING
  - c. Employee may be placed upon administrative leave with pay during the Investigation
3. Employer concludes Investigation and determines if discipline will occur.
  - a. Allegations unfounded or no violations occurred = employee not disciplined
  - b. Allegations substantiated, employee placed on a performance improvement plan (PIP) or provided additional training
  - c. Allegations substantiated, employee disciplined. **Employer issues Intent to Discipline Letter.** Discipline should be progressive based on nature of violation:
    - i. Verbal Warning
    - ii. Written Warning
    - iii. Suspension Without Pay
    - iv. Demotion or Reassignment
    - v. Discharge/Termination
4. EMPLOYEE REQUESTS LOUDERMILL HEARING: Employee's opportunity to respond to the charges.
5. Employer either makes an adjustment to the discipline or sustains original decision.
  - a. Employer issues Final Discipline Letter
6. Local 8 files Step 1 of Grievance with immediate supervisor
7. Employer responds
8. Local 8 files Step 2 of Grievance with Department Head
9. Employer responds in writing
10. Local 8 files Step 3 Grievance with RC Labor Relations Manager of Human Resources
11. LRM/Employer responds in writing
12. AFSCME MN Council 5 takes case to ARBITRATION
13. Arbitrator issues decision that supports Union's argument or supports Employer's argument