

Order of Progressive Corrective Action

1. Notice of performance deficiency and notice that deficiencies may lead to negative rating (oral or written Supervisory Feedback)
2. Reasonable Time to improve
3. Talk to HR Representative
4. Notice of right to representation prior to unsatisfactory evaluation
5. Time to get a representative
6. Unsatisfactory evaluation (special or annual)
7. Prescriptive Period of Remediation (PPR) (3 – 6 months, or more)

Needs to be specific, with areas for improvement, measures for improvement, the role the supervisor will play. All other areas of performance must remain strong during this period.

8. The result of the PPR can be any of the following:
 - a. The employee becomes satisfactory during the PPR and a satisfactory evaluation is provided, OR
 - b. The PPR is extended (after following steps 4 and 5 above), AND/OR
 - c. The employee becomes satisfactory during the extended PPR and a satisfactory evaluation is provided, OR
 - d. The employee is still unsatisfactory at the end of the PPR (either during an extension or not) and they are placed in a warning period (30 days – 3 months – after following steps 4 and 5 above).
9. IF the employee is placed in the Warning Period, the result of the Warning Period can be any of the following:
 - a. The employee becomes satisfactory during the Warning Period and a satisfactory evaluation is provided, OR
 - b. The Warning Period is extended (after following steps 4 and 5 above), AND/OR
 - c. The employee becomes satisfactory during the extended Warning Period and a satisfactory evaluation is provided, OR
 - d. The employee is still unsatisfactory at the end of the Warning Period (either during an extension or not).
10. If the employee is still deemed unsatisfactory, pre-termination (Loudermill - (after following steps 4 and 5 above)
11. Dismissal likely

Order of Progressive Discipline

1. Oral reprimand
2. Written reprimand
3. Suspension without pay (up to 30 days)
4. Disciplinary demotion (may be used as an alternative form of discipline)
5. Dismissal

Steps 3 through 5 require that an employee be provided with access to the Loudermill process prior to any final determination.

Grievance Procedure

Step I: Immediate Supervisor (Not required. May start with Step 2.)

- Complaint (verbal or informally written): Must be filed within 15 working days of occurrence with immediate supervisor or at Step II as a grievance within the same 15 day period.
- Immediate supervisor may elect not to meet and must notify the employee of that decision within two working days of receipt of the complaint.
- If supervisor agrees to meet, the issue is discussed informally with the employee, supervisor, and the employee's representative.

Step II: Department Level

- Written, with specific information
- Filed
 - directly to the Department within 15 working days of the event which gave rise to the grievance; or
 - within ten working days of receipt of notice that the immediate supervisor elected not to meet; or
 - within ten working days after receipt of the Step 1 decision, but in no event later than 30 working days from when the employee first gave notice of the complaint to the supervisor.
- Discussed informally, in person, or on the phone, within ten days of receipt
- Decision within five working days of discussion

Step III: Department of Human Resources

- File with DHR within ten working days of Step II decision (copy to agency/department). May be decided without a hearing at the employee's request. If so, decision is due within ten working days of receipt of the grievance
- Formal hearing within ten working days of receipt
- Written decision within five working days after hearing
- Request to reconsider filed within 30 calendar days of receipt of decision

Step IV: Vermont Labor Relations Board

- Appeal filed within 30 calendar days of receipt of Step III decision
- Employment dismissal appeals filed directly to the VLRB
- Rules of Procedure and hearing schedule of the VLRB dictate timing of decision
- Matter of public record

Vermont Supreme Court (Technically not part of the Grievance Procedure)

- File appeal within 30 calendar days of Step IV decision
- Rules of Procedure and hearing schedule of Court dictate timing of decision

Bypassing lower steps:

- If the matter is clearly beyond the control of the immediate supervisor (go to Step II) or the Appointing Authority (go to Step III). Must be filed within 15 working days of the date of occurrence.
- Dismissals are filed directly to the VLRB.