

HUMAN RESOURCES SERVICES RESPONSIBILITIES

DATE: 11/19/2008

SUBJECT: WORK FORCE DISCIPLINE

1. PURPOSE. This document addresses responsibility and accountability and provides administrative guidance to the Oak Ridge Office (ORO) and the Office of Scientific and Technical Information (OSTI).
2. APPLICABILITY. The provisions of this document apply to all ORO and OSTI employees, except those excluded by DOE 3750.1, Change 6, paragraph 3.
3. RESPONSIBILITIES.
 - a. Chief Operating Officer, ORO; and Deputy Director, OSTI, issue notices of decision for removals, suspensions, and reductions in grade proposed by subordinate supervisors based on misconduct when the responsible member of the Principal Staff recommends corrective action that exceeds the maximum recommended in DOE 3750.1, Change 6, Attachment 1.
 - b. Director, Human Resources Division (HRD).
 - (1) Performs those tasks identified in DOE 3750.1, Change 6, subparagraph 6f and 7.
 - (2) Forwards requests for more than 60 days of advance notice for performance-based removals and reductions in grade to appropriate DOE Headquarters (HQ) counterparts.
 - (3) Consults with appropriate DOE HQ counterparts before concurring in the use of the "crime" exception to a 30-day notice period.
 - c. Chief Counsel.
 - (1) Performs those tasks identified in DOE 3750.1, Change 6, subparagraph 6d.
 - (2) Forwards all petitions for payment of attorney fees to the Office of General Counsel, DOE HQ, in accordance with DOE 3750.1, Change 6, Chapter IV, paragraph 4.
 - d. Principal Staff.
 - (1) Perform those tasks identified in DOE 3750.1, Change 6, subparagraph 6a.
 - (2) With the prior concurrence of the HRD:
 - (a) Issue notices of decision on reductions in grade and removals proposed by subordinate supervisors based on unacceptable performance.

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- (b) For removals, suspensions, and reductions in grade proposed by subordinate supervisors based on misconduct:
 - 1 Recommend corrective action which would exceed the maximum recommended in DOE 3750.1, Change 6, Attachment 1.
 - 2 Issue notices of decision in all other cases.
 - (c) Issue notices of decision on adverse actions that invoke the "crime" exception to the normal 30-day notice period.
 - (d) Issue notices of decision for nondisciplinary adverse actions, including waivers of advance written notice and/or opportunity to answer when an immediate furlough is necessary due to unforeseeable circumstances.
 - (e) Issue notices of termination to employees not entitled to advance notices of proposed action.
- e. Supervisors.
- (1) Perform those tasks identified in DOE 3750.1, Change 6, subparagraph 6g.
 - (2) Gather, analyze, and carefully consider all facts and circumstances before taking or recommending corrective action.
 - (3) Recommend termination of employees not entitled to advance notices of proposed action.

4. REFERENCES.

- a. DOE O 331.1B, Change 1, EMPLOYEE PERFORMANCE MANAGEMENT SYSTEM, dated July 12, 2001.
- b. The Performance Management Policy for the Department's Non-Supervisory Employees, dated October 24, 2005.
- c. Agreement between ORO and OSTI, U.S. DOE, and Local No. 2001, Office and Professional Employees International Union (AFL-CIO).