

TEXAS WORKFORCE COMMISSION

GUIDE TO CORRECTIVE AND DISCIPLINARY ACTION

The Guide to Corrective and Disciplinary Actions Practices is not an all-inclusive list of violations for which discipline may be administered. In addition, the Guide sets forth minimum recommendations. The recommended disciplinary action or range of disciplinary actions is not intended to imply a greater or lesser penalty is inappropriate if circumstances require the consideration of a greater or lesser penalty.

**GUIDE TO CORRECTIVE AND DISCIPLINARY ACTION PRACTICES
RECOMMENDED MINIMUM CORRECTIVE AND DISCIPLINARY ACTION MEASURES**

TYPE OF OFFENSE	FIRST INFRACTION	SECOND INFRACTION	THIRD INFRACTION	COMMENT
Failure to Follow Instructions	Written Warning	Administrative Probation + Suspension Without Pay; or Pretermination Notice/Dismissal, if appropriate	Pretermination Notice/Dismissal, if appropriate	
Improper Behavior (including, but not limited to, inappropriate dress, profanity, rudeness, etc.)	Written Warning	Administrative Probation + Disciplinary Action Suspension for a period to be determined by Department Head/appropriate management; or Pretermination Notice/Dismissal, if appropriate, based on severity of offense	Pretermination Notice/Dismissal, if appropriate	
Insubordination (willful failure or refusal to follow a direct order)	Administrative Probation + Suspension Without Pay for a period to be determined by Department Head/appropriate management based on severity of offense	Pretermination Notice/ Dismissal, if appropriate		

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Abused State Property (including, but not limited to, inappropriate personal telephone calls, excessive personal email, inappropriate internet use, unauthorized access to premises/equipment, etc.)	Written Warning	Administrative Probation + Disciplinary Action Suspension for a period to be determined by Department Head/appropriate management; or Pretermination Notice/Dismissal, if appropriate, based on severity of offense	Pretermination Notice/Dismissal, if appropriate	
Altercation (physical/verbal)	Suspension for Investigation; if violation is established, Administrative Probation + Suspension Without Pay for a period to be determined by Department Head/appropriate management; or Pretermination Notice/Dismissal, if appropriate, based on severity of offense	Pretermination Notice/ Dismissal, if appropriate		
Chronic Tardiness (work hours as established must be observed)*	Oral Warning (documented on P-55): "chronic tardiness may result in Absence Without Leave (AWOL) Status and further disciplinary action, up to and including dismissal"	AWOL Status (minimum of 30 minutes) + Administrative Probation	AWOL Status (minimum of 30 minutes) + Administrative Probation + Salary Reduction; or Pretermination Notice/Dismissal, if appropriate	*It is inappropriate to use a Leave Request to address a chronic punctuality problem. Chronic tardiness will not be tolerated, condoned, or approved.

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Omission, Falsification and/or Misuse of Agency records (all working documents, including, but not limited to, TWC application for employment, transcripts, production reports, computer records, travel vouchers, etc.)	Suspension for investigation; if violation is established, Pretermination Notice/Dismissal, if appropriate*			*Offense may violate State or Federal law and may be subject to criminal prosecution
Performance Deficiencies: (failure to achieve standards of performance or conduct)	Following Performance Improvement Plan, if overall performance is unsatisfactory level, second Performance Improvement Plan + Administrative Probation + Salary Reduction; or second Performance Improvement Plan + Administrative Probation + Involuntary Demotion*	Following second Performance Improvement Plan, if overall performance is unsatisfactory, Pretermination Notice/Dismissal, if appropriate		*Unless circumstances are beyond employee's control (e.g., significantly increased workload, staff vacancies, etc.), in which case justification from Department Head is required.
Unauthorized Absence from Work (unexcused absence from work on scheduled work day)	Administrative Probation + Leave Without Pay, if 1 day or less; or Administrative Probation + Disciplinary Action Suspension (if unexcused absence is greater than 1 day, but less than 3 days); or if absent for 3 consecutive work days, Pretermination Notice/Dismissal, if appropriate	If within one year, Pretermination Notice/Dismissal, if appropriate	Pretermination Notice/Dismissal, if appropriate	

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Violated Agency or Program Policies, Procedures, Rules, or Regulations (e.g., preferential treatment to self, friends, or relatives; UI fraud; misappropriation; etc.)*	Suspension for Investigation; depending on severity of infraction, corrective/disciplinary action may range from Written Warning to Pretermination Notice/Dismissal, if appropriate			*Offense may violate State or Federal law and may be subject to criminal prosecution

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