

# Directive

FGIS 4752.1

8/27/92

---

## DISCIPLINARY OR ALTERNATIVE ACTIONS

### I. PURPOSE

This Directive explains the Agency's policy and gives guidance on taking disciplinary or alternative actions for violations to the employee conduct and responsibility regulations.

### II. DEFINITIONS

A. Disciplinary actions are official personnel actions taken to address employee misconduct problems. Some examples are letters of reprimand, suspension, reduction in grade or pay, or removal from the Federal service.

B. Alternative actions are non-disciplinary remedies to correct employee problems without taking official disciplinary actions. Some examples are informal counseling, cautionary or warning memoranda, closer supervision.

### III. COVERAGE

Different regulations are applicable dependent upon an employee's current employment authority and status. In order to know what regulations and procedures are applicable to an employee when taking disciplinary action, Code of Federal Regulations, Part 752, identifies "employees," in part, as those who:

1. Have completed a probationary or trial period in the competitive service;
2. Have completed 1 year of current continuous employment in the same or similar positions in the competitive service under other than a temporary appointment limited to 1 year or less;
3. Have completed 2 years of current continuous employment in the excepted service in the same or similar positions; or

4. Are veterans (preference eligibles) in the excepted service who have completed 1 year of current continuous service in the same or similar positions.

IV.  
POLICY

Disciplinary or alternative actions will be fair and reasonable. Agency policy is to choose the minimum remedy that reasonably can be expected to correct behavior, and achieve high productivity and good morale among all employees.

If disciplinary action is taken, employees will be advised of applicable and regulatory third party review rights as provided for in the Agency administrative grievance system; the negotiated grievance procedure; the Equal Employment Opportunity complaint system; or the Merit Systems Protection Board appeal process.

V.  
RESPONSIBILITIES

A. Employees are responsible for maintaining high standards of honesty, integrity, and impartiality, as well as high standards of ethical and moral conduct. Employees must be knowledgeable of, and adhere to, all standards of ethical conduct (see FGIS Directive 361.1, on Conduct and Responsibilities).

B. Management/Supervisory officials must exercise sound and responsible judgment by addressing employee problems in a constructive and corrective manner. Officials must communicate expected standards of conduct and responsibility to their employees, and address potential problems promptly by taking appropriate disciplinary or alternative actions. Management/Supervisory officials should consider any reasonable alternative measures prior to taking official disciplinary action.

VI. SPECIFIC GUIDANCE Management officials should contact their servicing Employee Relations Specialist for advice and guidance on employee misconduct matters. Management officials also should refer to their Supervisor's Desk Guide, Subchapter 4752, on Disciplinary or Alternative Actions. It contains specific guidance, requirements, and procedures for addressing alleged or perceived violations to the standards of ethical conduct regulations, and should be used as a supervisory reference when involved with employee misconduct matters.

VII. AUTHORITY TO TAKE DISCIPLINARY ACTION The Supervisor's Desk Guide Subchapter 4752, Section C, identifies management officials within the Agency who are authorized to take official disciplinary actions. The USDA Office of Personnel is responsible for handling disciplinary actions affecting employees in Schedule C, Senior Executive Service, and GS/GM-14, its equivalent, and higher positions.

VIII. FURTHER INFORMATION Contact an Employee Relations Specialist (ERS) on (301) 436-6486 for advice and guidance on employee misconduct matters. Your ERS is located in Human Resources Division, Performance, Conduct, and Labor Relations, Hyattsville, Maryland.

/s/ John C. Foltz  
Administrator