

(Agency Letterhead)

DATE

EMPLOYEE NAME

ADDRESS

CITY, STATE, ZIP

Dear EMPLOYEE NAME,

Pursuant to North Dakota Administrative Code (NDAC) § 4-07-19-05, this letter serves as the pre-action notice informing you that there appears to be cause for disciplinary action, up to and including termination from your position (name) with (employer). However, as required by NDAC § 4-07-19-05 you have the right to respond to this pre-action notice in writing before a final decision is made.

The basis for the proposed action is as follows:

LIST PERFORMANCE/CONDUCT/CONCERNS AND HOW THEY ARE CAUSE "conduct or factors related to a regular employee's job duties, job performance, or working relationships that is detrimental to the discipline and efficiency of the service in which the employee is or was engaged."

LIST RELEVANT PROGRESSIVE DISCIPLINE TAKEN (PIPs, Verbal Warnings, and Written Warnings). This should demonstrate attempts to correct performance deficiencies utilized for each violation.

If the conduct is a violation of a serious nature indicate why the conduct is severe enough to warrant bypassing progressive discipline.

Your conduct is in violation of:

(LIST CORRESPONDING POLICY VIOLATIONS IF THEY ARE RELEVANT)

ATTACH ANY DOCUMENTS REFERENCED IN THE PRE-ACTION OR THAT SUPPORT THE PRE-ACTION.

A review of your personnel file shows:

List prior disciplinary history if any.

Your written response or documentation explaining or refuting these allegations must be provided to me within five (5) working days of receipt of this letter, 5:00 p.m. on DATE. After I have received your written response, I will review the information before me to determine whether there are reasonable grounds to believe the allegations are true and support the disciplinary action. You will be notified in writing of my final decision regarding this matter. In the interim, you will remain in regular duty status.

If you want to review your personnel file or need information regarding this process, you may contact (Contact, Title) at (email/phone number). Should disciplinary action be taken, you will be so advised and sent information regarding the time frame and appeal process.

You will be on administrative leave with pay pending the resolution of this matter. During your administrative leave period, you are not to conduct any business on behalf of AGENCY. However, you must be available by phone during your regular work hours in the event we have any questions.

Name

Title

I, **EMPLOYEE NAME**, acknowledge that I have read and understand this memorandum and that it is to be placed in my personnel file. I further acknowledge that my signature does not necessarily indicate agreement with the contents of this document. I understand that I have the right to respond to this letter and that my response will be attached to the personnel file copy of this letter.

Employee Signature

Date

Cc: Personnel File
Other Persons