

Employee Due Process

Due process is a legal term that has been adapted into an informal process in today's employment environment. The process provides a framework to all performance issues to be addressed by the local Board or Governing Body and the Director's representative.

Steps in Due Process

- Board/Governing Body and Director's representative agree that performance issues are significant and lack of improvement could lead to a change in an agent's employment status.
- In Executive Session, the Board/Governing Body and Director's representative discuss the nature of the issue and provide the employee an opportunity to address the issue.
- If the Board/Governing Body and Director's representative determine the agent's performance does not meet expectations, a probationary period and process is established.
- The Board/Governing Body and Director's representative prepare a written plan with the performance issue to be addressed, specific actions that need to be taken to improve performance, evidence that will be required to document improved performance, and the date by which the improved performance will be achieved. At the end of the probationary period, the agent will prepare for the Board documentation of how they have addressed the performance issue.
- The Board/Governing Body and Director's representative will jointly determine whether the criteria has been met and if the probation will be ended, extended, or if dismissal proceedings will begin.