

Step I Appeals Frequently Asked Questions (For Employees)

Who can participate in the Step I discussion?

- The Step I discussion will include the employee and the employee's immediate supervisor or equal level of management able to speak to the merits of the disciplinary action. An employee's representative may also attend the Step I discussion; however, the representative may not participate in the Step I discussion.

What evidence and/or documentation should be included in my Step 1 appeal?

- In addition to the appeal form, the employee may submit any relevant documentation that supports his/her argument. The information may include, but is not limited to: emails, written statements, text messages, screen shots, and/or performance documents. The employee must explain why the disciplinary action is in error and how the agency violated a law, rule, or policy.

I feel overwhelmed by this process, can I contact someone?

- Yes, for more information on the appeal process, you may contact the DOHR HR Service Center at (615) 741-4841 or HR.ServiceCenter@tn.gov. Employees may also access more information from DOHR's website at tn.gov/hr/policies-resources.html.

May I record the Step I discussion?

- Yes, you may record the discussion. Please note the agency retains the right to record the Step I discussion as well.

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May I consult my representative during the Step I discussion?

- Yes, you may consult with your representative during the Step I discussion. Assistance/Consultation will be limited to organizing materials to present or assistance in answering any questions asked by the Step I designee. The employee also has the discretion to speak with their representative privately outside of the discussion room; however, these meetings may not be overly burdensome on the process.

During the Step I discussion, I realized I had supplemental information, can I still submit this?

- Yes, if additional information is needed, the designee will independently obtain that information and provide the timeline for submission. Also, if a concern or discrepancy is discovered during the discussion, the same process will apply. Please refer to the Step I Guidelines for more details.

Will I get a copy of the findings?

- Once the appointing authority and/or designee gathers all the relevant information and facts related to the appeal, the appointing authority will issue a written decision to the complainant fifteen (15) calendar days, excluding holidays, from the date the employee filed the appeal. The decision letter will also include instructions for filing a Step II appeal (if, necessary).

What if I don't like/or agree with the decision, can I submit another appeal?

- You may appeal the Step I decision to the Commissioner of the Department of Human Resources (Step II). Step II appeals must be filed within 14 calendar days, excluding holidays, of the Step I decision and include a written argument as to why the Step I decision was issued in error.

Since I filed my appeal, I feel as if I've experience retaliation. What should I do?

- Retaliation is prohibited by the State of Tennessee. If you feel you have been subject to retaliation because you have engaged in protected activity (e.g., filing an appeal), please contact your Human Resources department or the DOHR HR Service Center at (615) 741-4841 or HR.ServiceCenter@tn.gov.