

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF PERSONNEL**

**CHAPTER 1120-12  
REVIEW OF WRITTEN WARNING**

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**1120-12-.01 PURPOSE.** To provide employees a forum, exclusive of the formal grievance procedure, for the purpose of contesting written warnings.

**Authority:** T.C.A. §§8-30-202, T.C.A. 8-30-203 and T.C.A. 8-30-204. *Administrative History* prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988.

**1120-12-.02 POLICY.**

- (1) Career or permanent employees who receive contested written warnings may request a review of that warning by the agency appointing authority or designee for this purpose. Such review should be requested, in writing, no later than thirty (30) days of its receipt. The request for review should include documentation of any mitigating circumstances causing the employee to believe that the warning was undeserved.
- (2) The appointing authority or designee will review the warning and all documentation submitted by the employee and make a decision which may be one of the following:
  - (a) There is sufficient cause for warning, it therefore stands as issued, the request for review and the response becomes a part of the employee's personnel file.
  - (b) There is sufficient cause for counseling or verbal warning; therefore, the written warning is reduced and removed from the employee's personnel file.
  - (c) There is insufficient cause for action of any kind; therefore, the written warning is removed from the employee's personnel file.
  - (d) Written warnings should not be considered a part of an employee's personnel file until such time as the review established by this rule chapter is complete or thirty (30) days has passed.
- (3) The appointing authority or designee will respond, in writing, to the employee within ten (10) workdays of receipt of request for review utilizing the most appropriate delivery method.
- (4) The decision of the appointing authority will be final.

**Authority:** T.C.A. §§8-30-202, T.C.A. 8-30-203 and T.C.A. 8-30-204. *Administrative History* prior to January 2, 1988, see pages 1-2). Repeal and new rule filed November 18, 1987; effective January 2, 1988