



UNITED STATES MARINE CORPS
MARINE CORPS BASE
QUANTICO, VIRGINIA 22134-5001

MCBO 12750.1A
C 050

MAR 25 2009

MARINE CORPS BASE ORDER 12750.1A

From: Commander
To: Distribution List

Subj: DISCIPLINARY AND ADVERSE ACTIONS TOWARD CIVILIAN
EMPLOYEES

Ref: (a) DoN, Civilian Human Resources Manual, Subchapter 752
(b) SECNAVINST 12771.1

1. Purpose. To establish policy and assign responsibility for disciplinary and adverse actions toward civilian employees.
2. Cancellation. MCBO 12750.1.
3. Background. MCBO 12750.1 was initially drafted in 1986 to publish the procedures to be followed for disciplinary and adverse actions toward Civil Service employees. In December, 2003, DoN published the Civilian Human Resources Manual (CHRM). While subchapter 752 of this directive updates MCBO 12750.1 with current policy, it omits aspects that are unique to USMC civilian employees. MCBO 12750.1A provides this information in an abbreviated document. Marine Corps civilian employees and their supervisors should reference MCBO 12750.1A for daily requirements, but should also be familiar with the current DoN parent directive.
4. Information
 - a. Officials within Marine Corps Base, Quantico, VA (MCB) are to use discipline as a managerial tool to correct deficiencies in employee conduct and performance in compliance with reference (a) and the applicable law or regulation. MCBO 12750.1A supplements the policy and procedure set forth in reference (a).
 - b. Whenever possible, supervisors should impose the minimum penalty that can reasonably be expected to achieve the intended purpose.

c. Where there is a conflict between this Order and any Master Labor Agreement between the Marine Corps and a union or any applicable local supplement thereto, that agreement will prevail for those bargaining unit employees who fall subject to that agreement.

d. All supervisors, military and civilian, at every organization level, are delegated the authority to propose and decide disciplinary and adverse actions in accordance with this Order and reference (a). This authority is delegated to the lowest level possible.

5. Policy

a. Prior to initiating a disciplinary action, the appropriate supervisory or management official should have sufficient information to support the basis for the disciplinary action. To ensure pertinent information is considered, supervisors are encouraged to conduct an inquiry as to the facts and circumstances leading to the consideration of discipline. Such inquiry may include a meeting with the employee being considered for discipline.

b. Bargaining Employees have the right to request representation during such inquiry. The employee may request representation before the meeting or at a later time in accordance with NLRB v. J. Weingarten, Inc. Once requested, the investigating official shall immediately cease all questioning and contact HROM. HROM will coordinate with the Local Union to afford a reasonable amount of time for the Local Union to be present, before continuing with the examination.

c. After completion of the inquiry, if it is determined that disciplinary action is justified, the immediate supervisor or other appropriate acting official shall contact the HROM office who will prepare the draft disciplinary action or draft notice of proposed adverse action. The immediate supervisor or other appropriate acting official shall sign and ensure issuance to the employee.

d. Management Participation. All disciplinary or adverse actions more severe than a letter of reprimand require two levels of management participation; the proposal level and the decision level. The management official who renders a final decision on a proposed suspension, demotion or removal must be of higher organizational level than the official who proposed

the action unless the activity head/Commander issued the advance notice, in which case the activity head/Commander may issue the written decision.

e. Appeals and Grievances. Appeals and grievances from disciplinary or adverse actions taken under this Order shall be processed in accordance with the policy and procedure set forth in reference (b) or in an otherwise applicable negotiated agreement with a recognized union. Employees may also have appeal rights under separate law, rule or regulation (e.g., to the Merit Systems Protection Board). Since appeal procedures for employees may differ depending on the type of employee and nature of the action being taken, it is essential that all draft letters be staffed promptly through HROM. HROM will ensure that appropriate appeal procedures are described in each decision letter.

6. Administrative Instructions

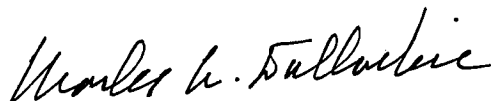
a. Supervisors must coordinate all disciplinary and adverse actions, formal or informal, with the Human Resources Organization Management (HROM), which will consult with the Office of Counsel, Marine Corps Combat Development Command (MCCDC), Marine Corps Base (MCB), Quantico, as appropriate.

b. Human Resources and Organizational Management (HROM) should provide support to supervisors in the performance of their duties.

c. Office of Counsel, MCCDC/MCB should provide support to supervisors and HROM in the performance of their duties.

d. This Order is applicable to all MCB personnel.

e. This Order is effective the date signed.



Charles A. Dallachie

DISTRIBUTION: A