

## EXAMPLE/DEMOTION PRIOR CLASSIFIED EMPLOYEES

(Date)  
(Name of Employee)  
(Address)

Re: Involuntary Demotion

Dear (Name of Employee):

This letter is to notify you that I am demoting you to (new position) in pay scale \_\_\_\_\_, effective \_\_\_\_\_. In making this decision, I have considered your performance evaluations and your written response received on \_\_\_\_\_. This action is being taken under Merit Rules 455:10-11-14 and 16 which provide that an employee may be demoted for cause to wit: (list the applicable causes cited in Section II. item C.)

### **Statute, Rule, Policy, Practice or Procedure Violated**

(Example)

OP-110215 entitled, "Rules Concerning the Individual Conduct of Employees"

#### VII. Regulations Governing Activities and Relationships with Inmates or Offenders/180 Day Ex-Inmates or 180 Day Ex-Offenders

##### A. Definitions

1. Inmates will be defined as persons under the care or custody of a state/private or community based facility. Offenders are defined as those under supervision of ODOC.
2. "180-day ex-inmates" are those persons who are within 180 days of the date following their discharge from ODOC custody. Ex-offenders are defined as those persons who are within 180 days of the date following termination from ODOC supervision.

##### B. Prohibited Activities with Inmates or Offenders and 180-Day Ex-Inmates or 180-Day Ex-Offenders

1. Accepting or offering a gift, money, or anything of value, directly or indirectly. This prohibition includes any member of the inmate's/offender's or 180-day ex-inmate's/offender's family.
2. Giving, receiving, or loaning any money, or trading, selling, or buying any personal possession or anything of value, for any purpose, without the written consent of the employee's supervisor. Hobby craft items may only be purchased in accordance with the correctional facility's local procedures.

8. Engaging in any other activity which constitutes or offers the opportunity for an abuse of the employee's position.
- C. Prohibited Relationships with Inmates or Offenders and 180-Day Ex-Inmates or Ex-Offenders
3. Engaging in any nonprofessional association, contact, or personal relationship with inmates or offenders, 180-day ex-inmates or ex-offenders, or members of their families which may compromise the employee's ability to effectively discharge the duties of his/her position

### **Description of Acts or Omissions Constituting Grounds for Suspension**

(Example)

You engaged in an unprofessional, personal relationship with the family of inmate John Doe #XXXXXX during his incarceration by writing letter to, and accepting a watch from, inmate's mother Mrs. John Doe Sr. You engaged in prohibited activities and unprofessional conduct by giving inmate Doe a pair of Nike athletic shoes and meeting with him while you were not on duty. Such conduct serves to jeopardize the security of the facility and undermine the agency's mission to protect the public, the employees, and the inmates.

### **Prior Employee Engagement and Disciplinary Action**

(Example)

On (date), you were issued a Letter of Concern for accepting a gift from an inmate.

On (date), you were issued a Letter of Reprimand for placing telephone calls to an inmate's family.

### **Right to Appeal**

You have a right to file an appeal, within 20 calendar days of receipt of this letter, with the Merit Protection Commission located at 3545 N.W. 58<sup>th</sup> Street, Suite 360, Oklahoma City, OK, 73112. A copy of the commission appeal form is attached. The Merit Protection Commission requires that appeals be filed electronically through their website, [www.ok.gov/okmpc](http://www.ok.gov/okmpc). If you are unable to file electronically, you must contact the Commission in advance to request permission to proceed with a paper-only appeal.

### **Right to file a Complaint**

You have a right to file a complaint with the Civil Service Division (CSD), within five business days of the date of the disciplinary action. A copy of the CSD petition is attached. All CSD complaints must be filed online at <https://oklahoma.gov/omes/services/human-capital-management/civil-service.html>.

Sincerely,

(Appointing Authority)

\_\_\_\_\_  
Employee Signature/Date

Distribution: Original to employee  
Copy to Disciplinary File  
Copy to director of Human Resources

Attachment: MPC Appeal Form  
CSD Complaint Form

(01/22)