

NAME CLEARING HEARINGS

SUMMARY

Administrative Order 7-31, Name Clearing Hearings, provides that when a non-permanent County employee is discharged or demoted for reasons that may stigmatize the employee's reputation, the employee is entitled to a name-clearing hearing.

PROCEDURE

1. Only non-permanent status employees (e.g., probationary, exempt) are eligible. Permanent employees will continue to be covered by Administrative Order 7-3, Disciplinary Action.
2. The charges leading to the discharge or demotion must be stigmatizing to the employee's reputation.
3. When a non-permanent employee is discharged or demoted, notification of the employee's right to a name-clearing hearing must be given to the employee.
4. The employee must request a name-clearing hearing with the Labor Management and Compensation Division, Human Resources Department, within fourteen (14) days of such notification.
5. A hearing will be scheduled wherein the employee will be allowed to offer testimony and documents showing that the stigmatizing charges are untrue. The department will also be allowed to present testimony and documentation.
6. Upon conclusion of the hearing, the hearing officer will prepare a written report summarizing the evidence presented. The report will be final, binding and not subject to further review or appeal. A copy of the report will be placed in the employee's personnel file.

CONTACT(S):

Department/Division

Human Resources Department /Labor Management and Compensation Division

REFERENCE DOCUMENT(S):

Administrative Order 7-31, Name Clearing Hearings