

- (a) Unsatisfactory Job Performance is work-related performance that fails to meet job requirements as specified in the job description, work plan, or as directed by the management of the work unit or agency.
- (b) Agencies shall apply this Rule consistent with the requirements of 25 NCAC 01J .0605.
- (c) In order to be dismissed for a current incident of unsatisfactory job performance, an employee must first receive at least two prior disciplinary actions. First, one or more written warnings, followed by a warning or other disciplinary action that notifies the employee that failure to make the required performance improvements may result in dismissal.
- (d) Prior to the decision to dismiss an employee, the agency director or designated management representative must conduct a pre-disciplinary conference with the employee in accordance with the procedural requirements of Rule .2308 of this Section.
- (e) An employee who is dismissed must receive written notice of the specific reasons for the dismissal as well as notice of any applicable appeal rights.
- (f) Failure to give specific written reasons for the dismissal, failure to give written notice of applicable appeal rights, or failure to conduct a pre-disciplinary conference constitute procedural violations with remedies as provided for in 25 NCAC 01J .1316. Time limits for filing a grievance do not start until the employee receives written notice of any applicable appeal rights.

*History Note: Authority G.S. 126-4; 126-35;
Eff. August 3, 1992;
Amended Eff. April 1, 2001; December 1, 1995;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,
2016;
Amended Eff. September 1, 2019.*