



DEPARTMENT OF THE NAVY
COMMANDER
NAVAL EDUCATION AND TRAINING COMMAND
250 DALLAS STREET
PENSACOLA, FLORIDA 32508-5220

NETCSTAFFINST 12752.2B
N1CP
16 Mar 2022

NETC STAFF INSTRUCTION 12752.2B

From: Commander, Naval Education and Training Command

Subj: DISCIPLINARY ACTIONS FOR CIVILIAN EMPLOYEES

Ref: (a) SECNAVINST 12752.1A
(b) 5 U.S.C. §7515
(c) DoD Directive 5500.07 of 29 November 2007
(d) SECNAVINST 5300.26E

1. Purpose. To provide policy and procedures for effecting disciplinary actions as required by references (a) through (d) and to provide guidance to managers, to ensure employees are afforded due process, and to ensure full consideration is given to the merits of adverse action prior to the taking of such action.

2. Cancellation. NETCSTAFFINST 12752.2A.

3. Policy. Naval Education and Training Command (NETC) policy is to effect disciplinary and adverse actions, per reference (a), when it is determined such action will promote the efficiency of the service.

a. The schedule of offenses and recommended remedies provided in reference (a) is only a guide.

b. Per reference (b), the proposed penalty for supervisors who commit prohibited personnel actions include:

(1) Suspension for a period no less than 3 days for the first offense.

(2) Removal for the second offense.

c. Discipline is not punitive; it should serve as a deterrent to unacceptable conduct or behavior and for correction of other situations that interfere with effective operations. Additionally, officials are encouraged to use Alternative

Dispute Resolution to enhance communication and seek resolution of concerns.

4. Delegation of Authority. Authority to take disciplinary and adverse action has been delegated to the supervisory levels identified below. Coordination with NETC N1CP, Office of General Counsel (OGC), and/or Human Resources Office (HRO) should be conducted prior to initiating an action.

a. Division Directors and Special Assistants are delegated the authority to:

- (1) Propose suspensions of 15 days or more.
- (2) Propose reduction-in-grade or pay for cause.
- (3) Propose removal.
- (4) Propose furlough.

b. Branch Heads and/or Second level supervisors are delegated the authority to propose suspensions of 14 days or less.

c. All supervisors are delegated the authority to:

- (1) Admonish employees orally and in writing.
- (2) Issue letters of reprimand.

5. Executive Director (ED) and Chief of Staff (COS). The ED and COS are delegated the authority to propose or take adverse action and to issue a decision on actions proposed by lower level officials. Any management official in the chain of command may revoke or modify the authority of a subordinate at any time. An adverse action may be modified to correct an error of fact or judgment made by a subordinate official to include cancelling a disciplinary action and proposing a lesser or harsher remedy after ensuring the employee's due process rights have been afforded.

6. Procedure for Adjudicating Disallowance of Representative

a. Any management official or supervisor who has the authority to propose or take adverse action may propose the disallowance of an employee's representative only under the criteria set forth in enclosure (2) of reference (a).

b. An official or supervisor who proposes that an employee's representative be disallowed must state in writing the basis for the disallowance. This statement will also identify the official who will issue a decision on the disallowance, generally the next higher level official who has the authority to take adverse action. A copy of the statement will be provided to the employee, if reasonably available, and to the deciding official.

c. The affected employee may, within 5 days, provide a written statement to the deciding official on the issue of disallowance.

d. Within 5 days of receipt of the employee's statement, the designated official will review and consider the written record, including the employee's statement, if any, and issue a decision on the disallowance of representative.

7. Responsibilities

a. NETC N1CP is responsible for:

(1) Ensuring that employees are apprised of the command disciplinary policy.

(2) Disseminating, at least annually, applicable information on Standards of Conduct per reference (c).

(3) Ensuring that required records are maintained by HRO.

(4) Ensuring that disciplinary actions taken are consistent with established written policy on the official and/or authorized use of government communications equipment including use of the internet, electronic mail, telephone equipment, and facsimile machines.

b. Supervisors are responsible for:

(1) Communicating to employees Standards of Conduct and expectations regarding conduct and performance.

(2) Setting a good example by their own conduct.

(3) Monitoring employee conduct and taking or initiating appropriate corrective action when required.

(4) Referring employees to the Civilian Employee Assistance Program as appropriate.

(5) Consulting with N1CP, OGC, and HRO for advice and guidance as appropriate.

(6) Following procedures set forth in reference (d), as it pertains to allegations of sexual harassment.

c. Employees are responsible for:

(1) Conducting themselves, both on and off duty, in a manner that will ensure that their conduct does not reflect adversely on NETC and the Navy.

(2) Complying with the standards of conduct prescribed in reference (c).

(3) Following on-the-job work rules, including reporting for work on time and in a condition that will permit safe and reliable performance of assigned duties. Employees should consult with a NETC Ethics Counselor if they have any questions.

(4) Performing their jobs at an acceptable level and in a safe and reliable manner.

8. Action. NETC Headquarters Staff personnel will use reference (a) as the primary guidance for civilian disciplinary actions, and it should be read in its entirety.

9. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and

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dispositioned per the records disposition schedules located on the Department of the Navy Assistant for Administration, Directives and Records Management Division portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local records manager.

10. Review and Effective Date. Per OPNAVINST 5215.17A, NETC will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 (Review of Instruction). This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



K. BECK
Chief of Staff

Releasability and distribution:

This instruction is cleared for public release and is available electronically on the NETC Public Web Site (www.netc.navy.mil), via the NETC Reference Library in DON TRACKER, or by e-mail at netc_directives@navy.mil.