

**ELECTION OF ALTERNATIVE HEARING PROCEDURE IN DISCIPLINARY  
CASES AND WAIVER OF GRIEVANCE RIGHTS**

1. On (date) I received an advance notice letter recommending that I be {(description of proposed discipline) for violation of (describe violations)}. \_\_\_\_ Initials}
2. I have had the opportunity to review the provisions of Chapters 16 (Conduct and Discipline) and 17 (Grievance Procedure) of the Fairfax County Personnel Regulations and Sheriff's Office Standard Operating Procedure 024, Administration of Staff Discipline. \_\_\_\_ (Initials)
3. I understand that under Chapters 16 (Conduct and Discipline) and 17 (Grievance Procedure) of the Fairfax County Personnel Regulations that:
  - a. I have the right to respond to the advance notice letter within three (3) business days of my receipt of the advance notice letter,
  - b. the effective date of the discipline imposed will be no sooner than ten business days from the date of the advance notice letter, and
  - c. if a suspension, disciplinary demotion, or dismissal is imposed, then I have the right to file a grievance concerning my suspension, disciplinary demotion, or dismissal under Chapter 17 of the Fairfax County Personnel Regulations, and if all procedural requirements are met and I receive a grievability determination from the County Executive, then I will receive a hearing before and a final and binding decision by the Fairfax County Civil Service Commission on my grievance. I further understand that under the grievance procedure, the Commission may affirm the imposed discipline, may revoke the imposed discipline, or may impose a lesser disciplinary action, as set forth in Section 17.6 of the grievance procedure. \_\_\_\_ (Initials)
4. I also understand that under Sheriff's Office Standard Operating Procedure 024, Administration of Staff Discipline, (SOP 024) in lieu of the right to exercise my rights under the County's grievance procedure, I may elect to use the alternative hearing procedure under SOP 024. I understand that to select and to utilize the alternative hearing procedure that I must waive my rights to grieve any discipline imposed under the County's grievance procedure. Further, I must request the alternative hearing procedure by executing this ELECTION OF ALTERNATIVE HEARING PROCEDURE IN DISCIPLINARY CASES AND WAIVER OF GRIEVANCE RIGHTS and delivering it to the Sheriff within ten business days of the date of the advance notice letter. \_\_\_\_ (Initials)
5. I further understand that if I elect the alternative hearing procedure that:

- a. No discipline will be imposed until after the Hearing Panel has heard both the Sheriff's Office's evidence and any evidence I wish to offer and it has rendered a written report by a majority of the panel,
- b. the Hearing Panel may recommend the imposition of the same, lesser or greater discipline that was recommended in the advance notice letter,
- c. I will select one member of the Hearing Panel and that the member selected by me with the member selected by the Sheriff Office will pick the third member of the Hearing Panel,
- d. the Sheriff agrees to impose the discipline recommended by the Hearing Panel; [provided however, that the Sheriff, in his sole discretion, may impose the original recommended discipline in the event that the Hearing Panel recommends that discipline greater than the discipline originally recommended be imposed], and
- e. I will not have the right to grieve the discipline which is finally imposed under the County's grievance procedure. \_\_\_\_\_(Initials)

6. In consideration of the foregoing,

- a. **I ELECT TO PROCEED UNDER THE ALTERNATIVE HEARING PROCEDURE SET FORTH IN SOP 024, and**
- b. **I GIVE UP MY RIGHT TO GRIEVE THE DISCIPLINE FINALLY IMPOSED UPON ME UNDER THE ALTERNATIVE HEARING PROCEDURE UNDER THE COUNTY'S GRIEVANCE PROCEDURE, and**
- c. **I HEREBY CERTIFY THAT I MAKE THIS ELECTION AND WAIVER FREELY AND VOLUNTARILY AND THAT NO ONE HAS PROMISED ME ANY FAVORABLE CONSIDERATION CONCERNING THE PROPOSED DISCIPLINE IF I ELECT TO USE THE ALTERNATIVE HEARING PROCEDURE. \_\_\_\_\_(Initials)**

\_\_\_\_\_  
Typed/Printed Name of Employee  
And Signature

\_\_\_\_\_  
Date