MISSOURI DEPARTMENT OF TRANSPORTATION
PERSONNEL POLICY MANUAL

POLICY TITLE: Performance Management
NUMBER: 2600
CHAPTER TITLE: Employee Conduct

EFFECTIVE DATE: August 28, 2026
PRIOR EFFECTIVE DATE: January 1, 2026

POLICY STATEMENT

The Missouri Department of Transportation's (MoDOT) objective is to maintain a qualified workforce through performance management. When an employee cannot or will not follow department guidelines and/or department goals and expectations, corrective intervention in the form of a verbal warning, written warning, probation, suspension, disciplinary demotion, or termination may be necessary. This personnel policy provides supervisors with tools necessary to manage performance/conduct issues. This policy does not entitle employees or require supervisors to take corrective intervention before an employee is terminated.

PROVISIONS / REQUIREMENTS

1. The department utilizes a progressive discipline process designed to provide a structured corrective action process in an attempt to prevent the recurrence of employee misconduct and performance issues. Outlined below are the steps of the progressive discipline process; however, the department reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; and the impact the conduct and performance issues have on the organization.
2. All safety-related incidents must be submitted to Central Office Human Resources (COHR) who will coordinate review by the Chief Safety Officer, or their designee.
3. Supervisors are responsible for identifying employees with performance/conduct issues, documenting, and addressing the performance that needs improvement.
4. Supervisors should make an attempt to pinpoint (observable and measurable) job-related conduct and the results (actions produced by the conduct.)
5. Supervisors should hold monthly performance development conversations.
6. Supervisors are responsible for maintaining documentation relating to all performance management discussions with employees.
7. Supervisors are responsible for consulting with the local Human Resources (HR) office

for a consistency review/recommendation prior to administering any discipline greater than a verbal warning. If a verbal warning is administered the supervisor must inform the local HR office for documentation in the disciplinary database.

8. The local HR office is responsible for ensuring a copy of disciplinary letters above the written warning level are in the appropriate employee's personnel file.

9. The district engineer or division leader/state engineer is responsible for ensuring this personnel policy is communicated, enforced, and supported by their management team. The management team is responsible for assisting supervisors in identifying employees who are not meeting the department's expectations.

10. A signed letter must be provided to each employee who is given a written warning, a disciplinary probation, a disciplinary demotion, or a suspension without pay. The information contained in these letters needs to be supported by documentation from the employee's performance management file. Each of these letters needs to identify what performance or conduct issue caused this discipline, what improvements are expected, and when these improvements are expected to be made. These letters also need to explain what discipline will result if the improvements are not made within the time allowed. Consult with a HR representative regarding the content of these letters before they are signed and issued.

11. A signed termination letter must be provided to each employee who is terminated. The information contained in the letter needs to be supported by documentation from the employee's performance management file. The local HR office will work with COHR on all termination proceedings. COHR will work with the Assistant Chief Counsel – HR (or that attorney's designee) regarding the content of these letters as needed.

PERFORMANCE MANAGEMENT

12. Coaching and Counseling

    a. Coaching and counseling is an opportunity for supervisors to bring attention to a situation, or issue, in an employee's development.

    b. Supervisors should discuss the observed opportunities for growth with the employee and, if needed, specifically discuss policies and procedures that are being violated.

    c. Supervisors should document the coaching and counseling and maintain the documentation in the employee's performance development file.

13. Performance Improvement Plans (PIP)

    a. A Performance Improvement Plan PIP serves as a structured, documented approach to addressing sustained performance gaps after expectations, training, and support have been clearly communicated.

    b. Performance improvements may require more training, practice, etc.

    c. A specific time frame in which the supervisor will meet with the employee to discuss progress in meeting the expectations of the PIP.

d. Successful completion of this PIP does not guarantee continued employment.

Progressive Discipline Process

14. Verbal Warnings

a. Verbal warnings are an opportunity for supervisors to evaluate employee conduct and provide employees with constructive feedback regarding opportunities for growth.
b. Supervisors should directly and clearly discuss the behaviors observed, so the employee can make appropriate corrections.
c. Supervisors should clearly and directly discuss specific policies and procedures that have been violated and provide suggested areas of improvement to the employee.
d. Supervisors should document the verbal warning and maintain the documentation in the employee's performance development file.

15. Written Warnings with or without a Performance Improvement Plan (PIP)

a. Written warnings should be applied by the first line supervisor with the approval (signature) of the district engineer or division leader/state engineer.
b. Supervisors must consult with a HR representative prior to administering a written warning and must provide a copy of the signed letter to their local HR office.
c. Key points that must be discussed when issuing a written warning are:
    1) Explain performance issues in detail; and
    2) Emphasize that continuation of the past level of performance is not acceptable.
    3) Emphasize that immediate and sustained improvement is expected.
d. If a (PIP) is included with a written warning, the PIP should include the following:
    1) Expectation number one should always be the employee must comply with all MoDOT policies and values, including, but not limited to, be safe, be accountable, and be better.
    2) Performance improvements may require more training, practice, etc.
    3) A specific time frame in which the supervisor will meet with the employee to discuss progress in meeting expectation of the PIP.
    4) Successful completion of this PIP does not guarantee continued employment.
e. Written warnings will be reviewed and may be considered for up to three years when determining the appropriate level of subsequent disciplinary action.

16. Disciplinary Probation

a. Disciplinary probation should be applied by the first line supervisor with the approval (signature) of the district engineer or division leader/state engineer.

b. Key points that must be discussed when issuing a disciplinary probation are:

   1) Explain performance issues in detail; and

   2) Emphasize that continuation of the past level of performance is not acceptable.

c. Review written expectations and provide the employee with a copy. Include, in the letter, the standards expected and how the standards will be measured.

d. As a guideline, the disciplinary probationary period should address the following:

   1) Performance improvements may require more training, practice, etc.

   2) The employee's continued employment will be determined during the length of the disciplinary probation.

   3) While on the disciplinary probation, the employee will not be eligible for a performance increase or a promotion.

e. The following language should be incorporated into all letters of disciplinary probation:

   1) During your disciplinary probation, if evidence indicates you are not making an honest effort to meet expectations, your employment will be terminated. Termination can occur before the end of the disciplinary probation.

   2) Successful completion of the disciplinary probation does not guarantee employment. If your performance reverts back, termination may result without additional coaching or counseling.

   3) This disciplinary action can be considered for up to three years in determining whether employees will be given an interview during a competitive job fill. Disciplinary actions of a probation or higher will make an employee ineligible for career ladder advancements or performance increases for a minimum of 12 months following the date of the disciplinary action. Disciplinary probations, with or without a suspension, are a part of an employee's permanent disciplinary history. This probation will also be permanently maintained in your records and will be considered in subsequent employment and disciplinary decisions.

f. General Guidelines on Disciplinary Probation

   1) Documentation

      Performance Management should be a partnership between the supervisor and the employee setting a goal for the employee to improve their performance. Documentation of requirements, expectations, conditions,

commitments made, etc., provides a record that is important to both the supervisor and the employee. Therefore, thorough documentation should be prepared by the supervisor and a copy of the documentation given to the employee. A copy must also be retained in the performance management file.

Examples of documentation include:

a) Probationary letter.

b) Follow-up discussions and ongoing performance development conversations; and

c) Other letters concerning status of employment, such as successful completion of probationary period.

2) The supervisor and employee should agree on the actions necessary to reach expectations (e.g., training, time, advice, standard measurement, feedback, etc.)

3) The employee should be instructed who to contact if they have questions.

4) The employee should be allowed to ask questions and obtain any clarifications needed to understand what is expected.

5) The supervisor and employee should establish a schedule for no less than twice a month for three months.

6) The supervisor should clearly state what the next step will be if expectations are not met.

7) The supervisor should consult with an HR representative prior to the end of the probationary period or at any time the employee is not progressing to discuss the employee's progress during the probationary period. The HR representative should facilitate the preparation and issuance of a letter to the employee regarding their employment status at the end of the probationary period but **prior** to the probationary period ending (e.g., probation extended, successfully completed, or employment terminated.) In the event more time is needed to determine the employee's status, the probation should be extended **before** its current end date and the employee should be notified in writing of such action. A copy of the letter issued to the employee regarding extended probationary status, or the successful completion of probation should be maintained in the employee's personnel file.

17. Disciplinary Suspension Without Pay

a. When serious conduct or safety issues arise, such as violation of personnel policies or state/federal laws, suspension without pay will be the primary discipline to consider instead of disciplinary probation. Less serious violations could result in written warnings, while the most serious violations should result in termination.

b. Occasionally a violation that results in a suspension without pay could also result in the employee being placed on a disciplinary probation. Generally, the probation will be used in conjunction with suspension without pay when the violation was serious enough that termination was strongly considered.

c. Suspension without pay should be applied by the first-line supervisor with the approval (signature) of the district engineer or division leader/state engineer.

d. Suspension without pay should be done in one-day increments (one day, three days, etc.)

18. Disciplinary Demotion

Disciplinary demotions should be handled in accordance with Personnel Policy 1021, "Demotion." Demotions may be used for performance, safety or conduct issues.

19. Termination

a. If improvement in either performance or conduct does not occur or if the conduct is of such seriousness that termination is determined appropriate regardless of prior disciplinary history, the following should be included in each termination letter:

   1) The effective date of termination.

   2) Statements of facts leading to the employee's termination (avoid any reference to conclusions drawn from those facts.)

   3) State how and when the employee will receive their last paycheck covering annual leave, comp time, overtime, etc.

   4) State who the employee is to contact to talk about the status of their benefits such as medical insurance, life insurance, cafeteria plan, retirement, deferred compensation, etc., or reference and provide a document listing contact information for employee benefits; and

   5) Advise the employee who to contact should the need arise to come onto MoDOT property, prior to coming onto department grounds.

   6) Advise the employee where they can find information regarding any grievance rights that may apply, and enclose a copy of Personnel Policy 2100, "Grievance."

b. In most cases, the employee should be given an opportunity to verbally respond to the reasons given for termination after they have been told of the termination.

c. The termination letter must be signed by the district engineer or the division leader/state engineer, or their designee.

d. The termination letter does not have to be mailed "certified."

e. A copy of the termination letter must be filed in the appropriate employee's personnel file.

f. The supervisor should retrieve department property (identification badge, keys, laptop computer, etc.) from the employee before the employee leaves or as soon as possible after the employee is notified of the termination.



Ashley Halford
Human Resources Director

CROSS REFERENCES
Personnel Policy 1021, “Demotion”
Personnel Policy 2100, “Grievance”