

Supervisor's Checklist of Douglas Factor Considerations

Douglas Factor Considerations

Consideration of each factor below must be given when selecting the proposed penalty from TPR 752, Appendix D, Table D-1. All factors may not be applicable. Keep in mind that the agency has the burden of proving the reasonableness of its actions.

1. Consider the nature and seriousness of the offense, its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional or inadvertent, or was committed maliciously or for gain, or was frequently repeated.
2. Consider the employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position.
3. Consider the employee's past disciplinary record.
4. Consider the employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.
5. Consider the effect of the offense on the employee's ability to perform his/her job at a satisfactory level and its effect on supervisor's confidence in the employee's ability to perform assigned duties.
6. Consider the consistency of the penalty with those imposed on other employees for the same or similar offenses.
7. Consider the consistency of the penalty with agency guidance on disciplinary actions.
8. Consider the notoriety of the offense and its impact on the reputation of the agency.

9. Consider the clarity with which the employee was on notice of any rules violated in committing the offense, or any warning about the conduct in question.
10. Consider the potential for the employee's rehabilitation.
11. Consider mitigating circumstances surrounding the offense such as unusual job tensions, personnel problems, mental impairment, harassment or bad faith, malice or provocation on the part of others involved in the matter.
12. Consider the adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others.