

**COUNTY OF SAN MATEO  
HUMAN RESOURCES DEPARTMENT  
Inter-Departmental Correspondence**

DATE: April 2015

TO: All Management Employees

FROM: Nicole McKay, Employee & Labor Relations Manager

SUBJECT: Employee Relations Bulletin 1  
Material Relied On

When it is your intent to initiate disciplinary action, a Skelly "Intent" letter is issued to the employee. In the last paragraph of the letter, you advise the employee that "All written materials, reports and documents upon which this action is based are attached." These "materials, reports, and documents" are referred to as the "materials relied on" and usually consist of counseling notes, written complaints from customers or co-workers, attendance records, previous corrective/disciplinary actions taken, and other documentation.

The material relied on is the evidence upon which you are basing the proposed discipline, and no other material may subsequently be introduced to support the disciplinary action (unless a revised Skelly intent letter is issued to supersede the first).

To insure that you are prepared to provide the material relied on, you should follow these steps:

1. Conduct a thorough, unbiased investigation of the incident(s)
2. Interview the employee(s) involved to hear his/her side of the story
3. Interview any witnesses and secure signed statements from them
4. Assemble all documents, including notes from your interviews of the employee(s) and witnesses, into a file

It may be necessary to code material released to the employee or his/her union representative to protect the identity of individuals. This requirement usually involves the release of medical or law enforcement information which can be tied to individual persons or of personnel records for employees other than the individual being disciplined.

Any questions relating to disclosure of information should be referred to Employee Relations.