

BASIC SCRIPT FOR CONDUCTING A *SKELLY* MEETING

Skelly Officer: Good morning/afternoon. My name is _____.
I am the _____
[indicated position and employer]. As you know, a recommendation has been made that
the following disciplinary action be taken against you:

[Describe the recommended discipline, i.e. termination, suspension, demotion, etc.]

As you also may know, the law entitles you to what is known as a *Skelly* meeting or
hearing. I have been appointed to conduct this meeting. Today is _____ [date].
The time is _____ [time]. We are meeting at _____
_____ [location and address]. The following people are in attendance [list]:

Skelly Officer: You may have a representative present with you during this meeting,
such as a union representative, attorney or other person.

If the employee is a member of a bargaining unit, state:

“Prior to this meeting, you were informed that you have a right to be
accompanied by a union representative.”

Skelly Officer: This is the time and place established for your *Skelly* meeting. The
purpose of the meeting is to give you an opportunity to respond to the proposed
disciplinary action. By now you should have received a notice of the disciplinary action
proposed to be taken, a statement of the reasons for the proposed discipline, a copy of the
charges against you and of the materials upon which the disciplinary action is based. I
have received the following documents in this matter:

*List documents received, e.g., Proposed Statement of Charges, Notice of Proposed
Action, etc., plus any reports, records, or evidence.*

Skelly Officer: The records provided to me indicate these documents were sent to you:

[specify: by mail or delivery service, or personal service] on _____ [date].
Did you receive the documents?

1. *If the employee states that the documents were not received, the Skelly Officer should state that a recess will be taken in order to make copies of the documents and provide them to the employee, and the employee should be given an opportunity to review the documents.*
2. *The Skelly Officer should make notes concerning the employee's statements concerning receipt of documents, the documents furnished at the meeting, and the fact that the employee had an opportunity to review them.*
3. *If the documents which the employee claims were not received are extensive, the Skelly Officer may wish to grant a continuance of the meeting to another time or date.*

Skelly Officer: Have you reviewed the documents which were provided to you?

If the employee needs additional time to review documents, allow the employee time to do so.

Skelly Officer: It is my responsibility to review the proposed discipline and supporting materials and to hear your response to the charges. I must then evaluate whether there are reasonable grounds for believing that you engaged in the alleged conduct and whether the conduct supports the proposed discipline.

Skelly Officer: This meeting is not a full trial-type hearing of evidence. If the proposed discipline is upheld, you will have an opportunity at a later date to appeal and challenge the action taken, to call and examine witnesses and cross-examine any witnesses against you. My function is to review the charges and your response to them objectively. The information you provide in this meeting must relate to the specific charges alleged against you. I am not required to respond to questions or requests concerning the substance of the charges. At the end of this meeting, or within a reasonable time after, I will inform you and the District's representatives of my decision.

Skelly Officer: Do you have any questions about this process?

Skelly Officer: The documents you received represent the employer's assessment of the situation. I am prepared to listen to any additional information or explanation you may have. Do you wish to make an oral statement in response to the charges at this time?

- *If yes, Skelly Officer listens to the employee's response and asks questions for clarification as appropriate.*
- *If the employee's representatives responded, but the employee did not, the Skelly Officer should state:*
"I have heard from your representative. Do you personally wish to add anything in addition to the statement made by your representative?"
- *Before proceeding to the next step, ask the employee:*
"Do you wish to add anything to the oral response?"

Skelly Officer: Do you wish to submit a statement in writing or other materials at this time?

- *If yes, Skelly Officer accepts and reviews the written statement or materials and asks questions for clarification as appropriate.*
- *Before proceeding to the next step, ask the employee:*
"Do you wish to add anything else regarding these documents?"

Skelly Officer: [as applicable] I have heard your oral statement and/or received your written statement. Do you have any additional information to offer?

Note: Generally, this will be all of the information considered.

- *In a very few cases, it may be necessary to speak with others or review other documents in order to corroborate information presented in the Skelly meeting.*
- *If the employee discusses new information not in the document package, ask the employee who else can verify that information.*
- *Generally the Skelly Officer will provide his or her determination within a reasonable time after the meeting rather than during the meeting itself.*

Skelly Officer: Thank you for the opportunity to hear the information you presented. I will provide the employer with a written notification of my determination within a reasonable period of time and you will be given a copy. This concludes the Skelly meeting.