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How to write letter against show cause notice

Much has been said about how to WRITE show cause letters. From HR consultants to lawyers, many experts have authored well-researched articles and blog posts on the subject on the Internet and in print. Very little literature, however, has been published on how to REPLY a show cause letter. Samples of replies are available online, but remember that there is no such thing as a one-size-fits-all reply. Let's recap the "What When Why Where and How" of a show cause letter. What: A show cause letter is issued by an employer to an employee requiring the employee to provide an explanation (to show cause) why they should not face disciplinary action for an allegation/allegations of misconduct. When: When the employee is involved in a workplace dispute, has committed a misconduct or has shown slackness in performance. Why: The idea of a show cause letter is to give an opportunity for the employee to explain himself prior to the Company deciding on the next course of action to resolve the matter. Where: The show cause letter must be given to the employee concerned in the workplace and during his working hours. How: The show cause letter must contained a precisely-worded allegation of the dispute/misconduct/performance issue including dates, times, places, and the legal provision/contractual obligation that the employee has breached. As aforementioned, there is no one universal template for showing cause, because every issue is circumstantially unique. If you receive a show cause letter from your employer, do not get anxious or emotional. Before drafting your reply, sit down and calmly ask yourself these questions: Was the issuance of the show cause letter appropriate vis-a-vis the circumstances? Was it issued in good faith? Were the charges levelled against you in the letter clearly-worded or vague? Do you understand the charges sufficiently to be able to produce a coherent reply? Were the principles of natural justice applied in the show cause letter? A show cause letter usually precedes a domestic inquiry. Sometimes it is used as a standalone mechanism of inquiry on its own. Either way suffices to fulfill the requirement of "due inquiry" in S.14 of the Employment Act 1955. If you receive a show cause letter you should reply to defend yourself professionally and tell the sender your side of the story. Malicious show cause letters are not issued for your answer, but as an entrapment to find points to justify the next course of action of your employer against you, which is usually dismissal. Do not abstain from replying, however, because you need to state your objection towards the contents of the letter or the manner in which it was given to you. If you do not reply, your employer will assume that you have nothing to say to defend yourself and proceed with whatever they want to do and you will be seen as acquiescing. Challenge the letter as a matter of right. If, however, the show cause letter was fairly issued and you agree more or less to the allegations made against you, then you can follow these steps to reply: Keep it succinct, brief and to-the-point.

Check your spelling and your sentence construction. Admit your mistake. If there are reasons why you made those mistakes, you can state them briefly. Do not get defensive, just state them as a matter of fact. Do not apologise. It serves zero purpose. Instead, agree to fix the mistake and not to repeat them. Do not write things like "If I repeat this mistake in future, the Company may terminate me." Saying things like that gives off the effect that you have no confidence in yourself to improve, or worse, not sincere about improving at all. If this is your first misconduct or the first time your performance has slipped, you can insert a plea of mitigation and ask the Management for leniency in punishment. Keep the show cause letter and your reply confidential. Do not blab about them to everyone in the office nor post them about them on social media. You may be breaching some confidentiality policies of your Company by doing so. (c) Tahirah Manesah binti Abu Bakar 2019 Much has been said about how to WRITE show cause letters. From HR consultants to lawyers, many experts have authored well-researched articles and blog posts on the subject on the Internet and in print. Very little literature, however, has been published on how to REPLY a show cause letter. Samples of replies are available online, but remember that there is no such thing as a one-size-fits-all reply. Let's recap the "What When Why Where and How" of a show cause letter. What: A show cause letter is issued by an employer to an employee requiring the employee to provide an explanation (to show cause) why they should not face disciplinary action for an allegation/allegations of misconduct. When: When the employee is involved in a workplace dispute, has committed a misconduct or has shown slackness in performance. Why: The idea of a show cause letter is to give an opportunity for the employee to explain himself prior to the Company deciding on the next course of action to resolve the matter. Where: The show cause letter must be given to the employee concerned in the workplace and during his working hours. How: The show cause letter must contained a precisely-worded allegation of the dispute/misconduct/performance issue including dates, times, places, and the legal provision/contractual obligation that the employee has breached. As aforementioned, there is no one universal template for showing cause, because every issue is circumstantially unique. If you receive a show cause letter from your employer, do not get anxious or emotional. Before drafting your reply, sit down and calmly ask yourself these questions: Was the issuance of the show cause letter appropriate vis-a-vis the circumstances? Was it issued in good faith?

[Date]

To

[Recipient Name]
[Title]
[Company Name]

Subject: Notice of the negligence of duty

This is with reference to your frequent disappearance just before important meetings. Yesterday's meeting was the fourth absent meeting that you deliberately missed despite being reminded an hour before the meeting was due. Earlier you were present at work but became absent just before the scheduled client meetings on June 11, June 23 and June 25. Consistently failing to meet with clients constitutes as negligence of duty, particularly when you are part of the team working with a client. Our clients also expect to see you at the meeting. While you have later given explanations, we suspect there is a pattern of delinquency in your behavior.

You are hereby requested to provide a written explanation for your negligence in showing up at scheduled meetings. Your explanation will be considered in the decision to initiate disciplinary action against you.

Sincerely,

[Your Name]
[Title]

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Were the charges levelled against you in the letter clearly-worded or vague?

2010027-0049 FERC FOF (04a6f31a3) 4/27/2011 214407 06

Citizens for Smart Energy at St. Anthony Falls
P.O. Box 50123
Minneapolis, MN 55418-1213
June 27, 2011

Mr. Kimberly D. Rose
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Re: FERC File No. 11376-024 (Crown Hydro)
Comments in Opposition to Crown Hydro's request for an Extension of Time to Answer FERC's Show Cause Letter

Dear Secretary Rose:

Citizens for Smart Energy at St. Anthony Falls is a Minnesota political action committee promoting the most effective renewable energy projects that are beneficial to all. Citizens for Smart Energy respectfully asks FERC to deny Crown's request for a 60 day extension to answer FERC's letter to show cause to whether Crown Hydro has abandoned its license to install a hydroelectric facility in the basement of the Crown Miller Hill building for the following reasons:

1. Crown has been issued extension times that its failure to comply with the requirements of its license and its last notice extension requests would no longer be considered. It has been 20 years since Crown applied for its preliminary permit. It is time to move on.
2. Crown admitted that it abandoned its efforts at the Crown Miller Hill basement site because of Crown's "inability to arrive at acceptable lease terms with the building's owner" in its April 3, 2002 application to amend its license to relocate the powerhouse and change the project boundary.
3. After granting Crown's numerous requests for extensions, Crown's application to amend its license was properly denied by FERC in 2005. Crown's request of FERC's decision in Federal Court has been dismissed. Thus, the Minneapolis Park Board is under an obligation to give Crown rights to publicly owned park property.
4. Under its license, Crown had the ability to use eminent domain to gain the necessary property rights in the Crown Miller Hill basement. After FERC's 2005 denial of its amendment application, Crown chose to continue its pursuit of a site for which it does not hold a license and where perhaps insurmountable barriers exist to gaining perpetual property rights on park land protected under 16 U.S.C. §1614. Crown's stubborn insistence on pursuing a different location than where there are licenses, is just a reason to consider that the license for Miller Hill is time has run its course.
5. 16 U.S.C. §804 required Crown to timely start construction in the Crown Miller Hill basement. If the timeline that Crown purchased will not work in the modified space of the Crown Miller Hill basement, then Crown failed to meet the statutory requirement and have thus has abandoned its license.

Do you understand the charges sufficiently to be able to produce a coherent reply? Were the principles of natural justice applied in the show cause letter?

[TYPE THE SENDER COMPANY NAME]
(Type the sender company address)

Subject: **SHOW CAUSE NOTICE TO EMPLOYEE.**

It has been reported that you have introduced one Mr. And Jan, 545 Nansen Jan 905 Dickey PH 50202000 was granted and cheque was given on 16/03/2015. When the amount has become outstanding, we withdrew it on 16/03/2015 and it was not paid. We contacted you and the said Mr. And Jan was not contactable to the factory during the month 2015-16 and also that the said Mr. And Jan was not contactable on 12/03/2016. On further enquires it is learnt that the cheque was deposited in the Dkt. Co-Operative Centre Bank Limited, Dkt. on 10/03/2014. It was found that you have accepted an employee loan of the bank, which was in the name of Mr. And Jan and issued the amount of Rs. 1,00,000/- to the said Mr. And Jan. The said Mr. And Jan was not contactable. Hence, you have obtained the company and misappropriated an amount of Rs.1,00,000/- and issued loan to the employee. Also, above said amount is misappropriated under the Misuse Sharing Orders applicable to you.

Hence you are hereby not only your resignation within THREE (3) days from the date of receipt of this notice, but also terminate employment with company. In other words you are to be dismissed from company. If you do not do so, a notice letter will be issued against you, and be presumed that you have the obligation to submit and further action will be initiated against you.

[TYPE THE CLOSING]

(Sender Designation)
(Type the sender's address)

THANK YOU, Sir/ Ma'am

A show cause letter usually precedes a domestic inquiry. Sometimes it is used as a standalone mechanism of inquiry on its own. Either way suffices to fulfill the requirement of "due inquiry" in S.14 of the Employment Act 1955. If you receive a show cause letter you should reply to defend yourself professionally and tell the sender your side of the story. A show cause letter is not a punishment for misconduct or poor performance. The reason why you should ask yourself the five questions above (or other pertinent questions that you can think of) is because sometimes a show cause letter is not issued for genuine reasons. If the charges are vague, and/or the charges are for misconduct that you did not do; the charges are for performance issues which have already been discussed with your superior and you are already in the early stages of an improvement plan, and/or the charges seem to have been deliberately created to get you into trouble, and/or the time frame is too short for you to compose a proper reply, and/or the contents were not adequately explained to you, and/or you were not given the opportunity to ask questions for clarification, and/or other things that make you feel that the show cause letter was unfairly given to you, then you should consult a lawyer, Labour/Industrial Relations officer or your Union rep before you reply. You need to ensure that your reply does not contain any loophole which your employer may take advantage of to persecute you further. Malicious show cause letters are not issued for your answer, but as an entrapment to find points to justify the next course of action of your employer against you, which is usually dismissal. Do not abstain from replying, however, because you need to state your objection towards the contents of the letter or the manner in which it was given to you. If you do not reply, your employer will assume that you have nothing to say to defend yourself and proceed with whatever they want to do and you will be seen as acquiescing.

[Date]

To

[Recipient Name]
[Title]
[Company Name]

Subject: Notice for poor performance

It has been observed that your performance on the job has been highly unsatisfactory for the past few months. Your performance evaluation revealed the following:

- Frequently forgetting to complete assigned tasks
- Poorly written reports with mistakes and incorrect information
- Failing to submit work on given deadlines
- Non-cooperation with team members
- Being absent on important days without properly informing at the office

After being issued repeated warnings for poor performance, you are now being served with a notice provide a written explanation for your poor performance. Your explanation will be considered an important piece of information in the decision on whether to take disciplinary action against you.

Please provide a written explanation for your poor performance on the job within 48 hours to the HR department.

Sincerely,

Mark Evans
Manager Human Resources

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Challenge the letter as a matter of right. If, however, the show cause letter was fairly issued and you agree more or less to the allegations made against you, then you can follow these steps to reply: Keep it succinct, brief and to-the-point. Check your spelling and your sentence construction. Admit your mistake. If there are reasons why you made those mistakes, you can state them briefly. Do not get defensive, just state them as a matter of fact. Do not apologise. It serves zero purpose. Instead, agree to fix the mistake and not to repeat them. Do not write things like "If I repeat this mistake in future, the Company may terminate me." Saying things like that gives off the effect that you have no confidence in yourself to improve, or worse, not sincere about improving at all. If this is your first misconduct or the first time your performance has slipped, you can insert a plea of mitigation and ask the Management for leniency in punishment. Keep the show cause letter and your reply confidential. Do not blab about them to everyone in the office nor post them/about them on social media. You may be breaching some confidentiality policies of your Company by doing so. (c) Tahirah Manesah binti Abu Bakar 2019