



Chapter 3: Disciplinary Action

(excerpt from Manager's Toolkit)

Supervisors who need to discipline employees are faced with a dilemma. They must discipline without generating resentment or without impairing their role as a source of help.

Generally, disciplinary action will be accepted by employees as justified and fair if it contains the following elements:

- Advanced warning
- Immediate discipline
- Consistency
- Objectivity

Rules must be clearly communicated and consistently enforced. You should begin the disciplinary process as soon as possible after a rule has been violated. When a violation is followed quickly by discipline the offending person will associate the discipline with the offense rather than the person imposing the discipline. Of course, this does not mean that an employee will be judged without a full investigation.

Discipline which is consistent helps to set limits; inconsistent discipline leads to confusion, uncertainty and possible charges of unfair treatment. Consistent discipline does not require that the penalty be determined entirely by the offense without regard to the other circumstances, such as the seriousness of the particular offense, the past conduct of the employee and the handling of similar offenses in the past.

All discipline should be imposed quietly and objectively. Emotional clashes endanger the future relationship with the employee. If the disciplinary action is justified, there is no need to be apologetic or to feel guilty. Try to maintain a positive, encouraging attitude and a spirit of cooperation in helping the employee correct the problem in the future. All discipline needs to be documented.

Verbal Warnings

When an employee shows a change in behavior or work performance, the first disciplinary action should be a verbal warning. Supervisors should counsel employees in private to assist them in correcting their problems, but should also make them aware of the consequences if the problems are not corrected. Supervisors should document for his/her file – when, where, and what was said.

Written Warnings

If desired results are not accomplished by a verbal warning, a written warning should be given. The reason for the warning and expected results should be explained in detail in the memo to be retained in the employee's personnel file. A copy of the report should be signed by the employee and the supervisor and forwarded to the personnel department and a copy given to the employee. If an employee refuses to sign, it should be so noted on the document. Employees should be advised these memos would become part of their permanent personnel files.

Repeated offenses should be discussed with HR Personnel to determine further action. Particularly serious or repeated offenses may result in dismissal. A dismissal for unsatisfactory behavior or performance requires the approval of HR and the division head.

Employees may be disciplined for any reason, including behavior related to the following:

Absence; lateness; abuse of rest or lunch period; dishonesty; fighting; disorderly or immoral conduct; damage, destruction, theft of property; punching another's time card or falsifying any time or production record.

Insubordination; refusing to carry out instructions of supervisor; negligence; inattention to duties; policy, safety and security violations; unauthorized solicitation; failure to wear clothing conforming to standards established by management.

Unauthorized use of company equipment; poor performance and quality of work; inappropriate behavior to customers, fellow employees or supervisor.

Dismissal Procedure

An involuntary separation may be a disciplinary measure when not preceded by a warning as a result of:

Dishonesty
Gross negligence
Fighting
Intentional destruction or defacing of company property
Rank insubordination
Acts of moral turpitude

An involuntary separation may be a disciplinary measure when preceded by a warning as a result of:

- Inadequate performance as the result of carelessness
- Lack of initiative
- Poor attendance and punctuality
- Plain incompetence

In the latter cases, dismissals should not take place until the employees' work has been discussed with them and they have prior warning that failure to improve may result in termination. The warning should be documented in a memo to Human Resources and signed by both the employee and the supervisor. Employees should be encouraged to sign the memo to avoid later misunderstandings, but if they refuse, it is not to be considered insubordination. (A notation indicating refusal to sign should, however, be made.)

Dismissal of employees should be considered as a last resort after every effort has been made to help them adjust to their jobs, fellow workers and to company policy. At all times, the Human Resources department is available to aid in employee counseling and provide assistance to any supervisor or employee.

Supervisors and officers are to provide the company with accurate records and facts about events occurring before any employee is released to ensure that evidence is available if the company action is reviewed or questioned by government authorities. A written record of infractions and warnings should always be made at the time they occur and immediately forwarded to the Human resources department.

Releases are to be handled by the immediate supervisor in conjunction with the Human Resources Director. When an employee is recommended for release, a memo stating the reason, the prior warnings, and the opportunities given the employee to correct conditions resulting in the release (signed by the supervisor and employee) must be forwarded to Human Resources prior to the exit interview.

Lay-offs or reductions in force, which are determined necessary by management due to diminished personnel needs, will be handled by the Human Resources department and based on an employee's length and record of employment.

Employees have the right to place explanatory statements in their files along with any personnel action report. After a reasonable length of time and satisfactory performance, negative information may be removed from an employee's record and "the slate wiped clean."