



CORRECTIVE ACTION AND PROGRESSIVE DISCIPLINE GUIDELINES

Chapter 11 of the CFS Personnel Handbook addresses Discipline, Discharge, and Resignation of Employment. Section 11.10 addresses Discipline and Discharge, and is reprinted at the end of this document.

Disciplinary action taken by management is intended to encourage compliance with organizational requirements and to ensure effective job performance. Effective disciplinary action is designed to correct infractions of CFS policies or organizational requirements and to prevent such infractions in the future. Fair and consistent disciplinary procedures are essential to maintain harmonious relations within Center For Family Services. A formal disciplinary system can reduce arbitrary supervisory action and help ensure that management will have adequate documentation if a discipline decision is challenged.

Characteristics of a Good Progressive Discipline System

- Specific rules and expectations, so there can be no doubt about when they have been violated
- Job relatedness – rules that are reasonably related to the employee’s work or to some other legitimate organizational objective
- Clearly stated consequences, so there can be no doubt of the result of violating the rules
- Discipline that fits the infraction.
- Careful investigation, to be sure that the rules were really violated
- Prompt enforcement
- Consistent enforcement
- Documentation of all observed rule violations and the disciplinary actions taken
- Specific statement of the infringement in communications with the employee at the oral and written warning steps
- Discussion confined to the problem at hand without calling the employee’s overall worth into question
- Effective communication of the rules and consequences of rule violations.
- Advance warning of any change in the rules
- An appeals process

There are 3 stages to the disciplinary process:

Stage One: Oral Warning

An oral warning is given for violation of specific requirements regarding conduct, attendance and work expectations. During a meeting the first warning is given orally by the supervisor (the employee delegated supervisory authority and responsibility for the employee to be disciplined) to the employee. At the time of this meeting the supervisor will ensure that there is a mutual understanding of the performance issues and agree on a corrective action plan. The supervisor will maintain written documentation of this meeting in the employee's supervision file.

An oral warning directs an employee's attention to a work performance deficiency or other work-related problem by giving the staff member specific information about the nature of the problem. The discussion must specify the rule, policy or procedure violated and why the staff member's behavior was inappropriate, the improvement needed, a specific time period within which measurable progress shall be made toward correcting the performance problem for future review, and the consequences of continued unsatisfactory performance.

The supervisor shall deliver the oral correction or warning as soon as possible after the occurrence that necessitated the action. Included in the written record of the oral warning meeting will be the time and date, the reason it was given, corrective discipline to be taken and the date of the incident. **The supervisor is responsible to keep their program director and/or supervisor informed of actions taken.**

Stage Two: Written Warning

If there is not satisfactory improvement or the employee repeats the offense within a specified and appropriate time period, a written warning will be issued. Where continued problems require action beyond oral warnings, a written warning will be issued to the staff member which documents:

- The extent of the problem
- The violated rule, policy or procedure
- Required courses of action
- The past work record that includes relevant counseling or disciplinary action taken
- A statement of consequences in the absence of improvement
- Any follow-up action to be taken

This step is undertaken only after the supervisor has discussed the performance issue with his or her program director, and the Vice President. The written warning is given to the employee following a meeting between the employee and the supervisor. The supervisor/program director will issue and sign the written warning and the employee will also sign the written warning to acknowledge that it was received and read. The supervisor or employee may sign a note of refusal or hesitancy to sign the written warning in order to acknowledge notification. A copy of the written warning should be filed with the Vice

President of that division and Human Resources to be placed in the personnel file and the employee should be so advised. This written warning will remain in the personnel file for two years. The employee should also receive a copy of the warning.

Depending on the seriousness of the infraction, a written warning may be issued without prior verbal warning.

Stage Three: **Probation**

A probation period of ninety days or more and initiation of dismissal procedures may be imposed by the supervisor if the staff member does not respond to oral or written warnings to improve work performance. If the staff member has committed a serious violation of CFS policy, the nature of the infringement will determine the consequence up to and including probation and termination. This step is undertaken only after the manager has discussed the performance issue with his or her supervisor, and Vice President, who will contact the President before termination.

Following a meeting between the supervisor and the employee, the employee will receive written notification specifying the performance standards to be met and methods to achieve them, the duration of the probationary period and the consequences of failure to improve. The manager will issue and sign the Disciplinary Probation Notice and the employee will also sign the Disciplinary Probation Notice to acknowledge that it was received and read. The manager or employee may sign a note of refusal or hesitancy to sign notice in order to acknowledge notification. A copy of the Disciplinary Probation Notice should be filed with the Vice President and Human Resources to be placed in the personnel file and the employee should be so advised. This Disciplinary Probation Notice will remain in the personnel file for three years. The employee should also receive a copy of the notice.

The progress of the employee will be supervised closely during the probationary period. The manager will meet regularly and formally with the employee during the disciplinary period and discuss and document the employee's progress or lack of progress toward correction of the stated problem(s).

At the end of the disciplinary probation, if the performance issues have been satisfactorily corrected, a written statement is to be completed advising the employee of satisfactory performance, of performance objectives achieved and of removal from this particular disciplinary probation. A copy of the communication of the ending of the probationary period is included in the employee's file. Salary increases will not be approved for employees who are on probation and will not be granted retroactively.

Suspension

In certain serious situations, it may be appropriate to utilize suspension as an option in the disciplinary action. Suspension can occur at any point in the disciplinary process, and need not be preceded by oral or written warnings, or probation.

See Personnel Handbook.

Termination

The preceding process is followed under normal circumstances. However, there may be reason for immediate dismissal, in which case the procedure is not followed. Reasons for immediate dismissal include but are not limited to one or more of the following:

- Stealing or destruction of property or funds
- Neglect or abuse of a client
- Coming to work under the influence of substances
- Violation of confidentiality
- Insubordination
- Absenteeism and Tardiness
- Conduct contrary to, inconsistent with, or detrimental to the vision, mission or goals of Center For Family Services.

At any point during the disciplinary probation, involuntary separation may occur if progress toward measurable improvement or correction of the stated problem is not being achieved.

Approval from the Vice President in conjunction with the President is required to proceed with termination.

Employees who fail to improve their performance during a probationary period normally are terminated. If the employee is terminated, ordinarily there shall be presented in advance a written notice of the reasons for termination. The manager will issue and sign the Termination Notice and the employee will also sign the Termination Notice to acknowledge that it was received and read. If the employee refuses to sign the Termination Notice, the employee or the manager may note the refusal in order to document notification. A copy of the Termination Notice should be filed with the Vice President and the Human Resources Director to be placed in the personnel file and the employee should be so advised.

The following is re-printed from the CFS Personnel Handbook 8/8/07 revision:

11.10 Discipline / Discharge

CFS generally follows a policy of progressive discipline. Employees may be reprimanded orally or in writing for such problems as rule violations and unsatisfactory conduct or performance. However, progressive discipline is not appropriate in all cases and the Agency

will review each case on its own facts. As explained earlier in this handbook, every employee is at-will and can be terminated at any time with or without notice or cause.

The following is an example of the types of offenses which may be sufficient grounds for disciplinary action, ranging from reprimand, probation, or to immediate discharge, depending upon the seriousness and frequency of the offense. This list is not all-inclusive and is meant to be illustrative only. CFS expressly reserves the right to discipline and / or discharge employees for other offenses or actions, or for violations of policies herein, as CFS in its sole discretion sees fit.

1. Unexcused or excessive absenteeism;
2. Tardiness;
3. Possessing, consuming, using or being under the influence of alcohol or other controlled substances on CFS premises or on CFS work time;
4. Refusal to follow instructions from supervisors or other proper authority;
5. Theft or misappropriation of property;
6. Failing to behave in a professional manner;
7. Violation of the confidentiality policies of CFS;
8. Altering, removing, or destroying records or property;
9. Inefficient or careless performance of duties;
10. Falsifying CFS records or providing misleading or incorrect information the agency; and
11. Fighting or threatening violence in the workplace or on work time.