



Disciplinary Program / Policy

**An Employee Guide to our
Disciplinary Program and Safety
Policies to Support a Safety-
Conscious Work Environment**

Disciplinary Program

To discourage employee misconduct and control poor performance, organizations need a method of enforcing company rules. This disciplinary program defines two processes by which compliance with rules can be enforced. In order for a disciplinary program to be effective and ensure nondiscriminatory handling of employee misconduct, it must be uniformly applied to all employees. Progressive discipline should be applied in sequential steps and documented based on the facts of each case.

When an employee is involved in a case of **serious or gross** misconduct, **progressive disciplinary action** will not be invoked. Penalties, which may include termination for cause, will be applied to the employees determined guilty of such misconduct. Depending on the circumstances, the supervisory personnel who permitted or directed such action to take place may also be disciplined.

Policy

It is company policy to discourage employee misconduct and control poor performance through progressive disciplinary action.

Procedure

The following progressive disciplinary steps apply to employee negligence, misconduct, poor performance, substance abuse, and safety infractions. All copies of verbal/written warnings, suspensions, and recommendation for termination of employment must be filed in employee's personnel file.

Step 1 – Counseling and Verbal Warning

The supervisor will discuss the employee's behavior, in private with the employee, free from interruptions. All aspects of behavior/performance are to be covered. The employee will be informed of the area(s) in which behavior must improve and by when. It must be made clear to the employee that if improvement is not forthcoming within a reasonable, established time limit, more severe action will be taken. The supervisor will summarize, in writing, the content and results of this meeting. A copy will be given to the employee.

Failure to observe minor safety, sanitary, environmental, and medical rules are examples of behavior requiring Step 1.

Step 2 – Written Warning

If an employee's behavior has not improved within the time limit established in Step 1 or a second minor occurrence takes place, a second meeting will be held with the employee. The procedure for the second meeting is the same as Step 1. The supervisor will prepare a written summary of the behavior/performance being addressed, including a definition of the expected behavior. Statements of specific time limits and disciplinary action will be included. The employee will be requested to sign the document as acknowledgment of the substance of the meeting and may enter comments on the document. Refusal to sign will be so noted.

Step 3 – Suspension and Final Written Warning (up to 3 days)

If there is inadequate improvement within the time limit established in Step 2 and the employee continues to exhibit unsatisfactory behavior/performance, more stringent disciplinary action will be taken—a suspension of up to 3 days with a final written warning. The supervisor will prepare a final written summary of the behavior/performance being addressed, including a definition of the expected behavior. Statements of specific time limits and disciplinary action will be included. Implementation of a work action plan may be required. The employee will be requested to sign the document as acknowledgment of the substance of the meeting and may enter comments on the document. Refusal to sign will be so noted.

Disciplinary action for a second safety rule violation is suspension from work for up to three (3) days.

Step 4 – Recommendation for Termination of Employment

Termination of employment may occur for any of the following reasons:

- Failure to perform competently and/or in keeping with the administrative practices of the company and the duties assigned.
- Work performance that fails to meet expectations.
- Neglect of duties or failure to serve in capacities as directed by management.
- Failure to demonstrate progress in a work action plan within a reasonable amount of time.
- Conduct unbecoming for a member of the staff.
- Conviction for a crime involving moral turpitude or a felony.
- Violation of federal or state law.
- Chronic absenteeism.
- **Insubordination**, unprofessional conduct, or failure to cooperate with other employees to the extent that dissension interrupts the orderly performance of duties.
- Directly or indirectly intimidating, harassing, bullying, threatening, or coercing an employee in any way.
- Financial exigency or discontinuation of a program or position.
- Failure to comply with rules, regulations, and policies of the company.
- Use of controlled substances during work hours or appearing at any time on company property under the influence of controlled substances.
- Reporting to work or appearing at any time on company property under the influence of alcohol.
- Violation of the company's sexual misconduct policy.

For an employee to be terminated from employment due to unsatisfactory job performance, they must have the following:

- A current unresolved incident of unsatisfactory job performance; and
- At least two prior active warnings or other disciplinary actions for unsatisfactory job performance or gross inefficiency, or unacceptable personal conduct.
- The recommendation to [company management] to terminate an employee must be reviewed and supported by the supervisor's department or division head and human resources. The supervisor is responsible for documenting the employee's actions and the supervisor's efforts to support the employee in improving deficiencies, performance, and actions. Documentation in support of the employee's termination must be reviewed and endorsed by the department or division head and human resources. If the recommendation for the employee's termination is supported by the supervisor's documentation and determined to be warranted, the department or division head will forward it to [company management] for review and consideration. The [company management] decision must be based on a thorough review of the actions and documentation of the progressive steps for performance improvement and must be consistent with all applicable company policies and procedures.

Gross Misconduct

When an employee is involved in a case of serious or gross misconduct, **progressive disciplinary action will not be invoked**. An immediate and thorough investigation of the incident will be conducted, and penalties will be applied to all employees determined guilty of the gross misconduct. Gross misconduct will involve disciplinary action up to and including termination of employment. Examples of gross misconduct include but are not limited to striking a supervisor; violations of safety or work rules, such as performing work or allowing work to be performed when imminent danger exists; jeopardizing the safety and health of others; engaging in actions which have a serious detrimental effect on the project/job.

EMPLOYEE DISCIPLINARY WARNING FORM

Complete this warning in duplicate, giving the employee a copy and attaching a copy to the employee's timecard for the week. If the employee was terminated, attach a completed copy of this report to this timecard.

The following employee was given a notice of this warning and informed that subsequent violations could be cause for discharge.

Name: _____

Location: _____ Date: _____

CHECK THE VIOLATIONS BELOW THAT THE EMPLOYEE IS GUILTY OF:

- Insubordination
- Violation of safety rules
- Tardiness
- Drinking on the job
- Dishonesty
- Garnishments
- Failure to obey orders
- Fighting on company premises
- Fighting on client premises
- Housekeeping
- Improper conduct
- Reporting under the influence
- Unreported absence
- Defective or improper
- Carelessness
- Destruction of company property
- Leaving without permission
- Other reasons

Explain why the warning was given, setting forth all the facts in detail:

Employees must be warned of infraction of company rules or any conduct detrimental to the employer's operations and be given an opportunity to comply. Failure to do so may warrant the termination of the employee. However, acts of gross misconduct are grounds for immediate discharge.

I have read this warning

Employee: _____

Offense No.	1	2	3	4
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Warning given by

Supervisor: _____

Witness: _____

7/28/2017



