



CLIENT INFORMATION GUIDE

Section: Employment Practices

Topic: Corrective Action

There are times when an employer may find that an employee's work or behavior may be counter-productive to the company's interests. Frequently, the problems can be resolved satisfactorily if a supervisor will address the problems constructively one-on-one, making their remarks with authority and respect. But when that negative work pattern or personal conduct is serious and pervasive, it is likely that it will be necessary to implement some form of corrective action.

When workers are allowed to perform at unacceptable levels without corrective action being taken, overall work site morale is often negatively affected as managers, co-workers and clients are impacted by the actions of those whose work or behavior is unsatisfactory.

To make certain that corrective action is fair, unbiased and even-handed, it is strongly recommended that discipline be carried out in a defined and understood manner. However, there are certain circumstances when the serious nature of offenses may lead to immediate termination without other, less severe, corrective steps being taken. The fact that the employer retains this right to apply any corrective action at any time, when circumstances warrant, should also be clearly communicated in your company's policy on corrective action.

Generally speaking, however, your policy on corrective action should be predictable and should focus on defining a sequence of actions which increase in severity, depending upon the seriousness of the offense and the responsiveness (or lack of responsiveness) on the part of the employee to earlier, milder forms of corrective action.

The typical sequence employed by many companies is as follows:

1. Verbal and written warning. A verbal warning about behavior is usually the first, and mildest, form of action. If the employee is unresponsive, then this warning should be put into writing. A copy of this written warning should be signed by the employee and placed in their personnel file.
2. Suspension. Disciplinary layoff or suspension without pay is commonly the next step.
3. Termination. This is the last resort, used for repeated occurrences or severe violations. It is an appropriate immediate step in situations of violence, theft, falsification of records, or other similarly serious actions.

Specific recommendations for each of these actions follows below. At any time, during any step of these actions, if you are uncertain how to proceed you are encouraged to contact your Choice Service Representative.

Verbal Warning

In preparation for a corrective action meeting, it is recommended that you read the Client Information Guide entitled, "Effective Disciplinary Conferences".

1. Inform the employee of the specific issues concerning their conduct or job performance.
 2. Include specific examples of the behavior at issue.
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3. Encourage the employee to communicate, allowing an opportunity to respond to your comments.
4. Clearly outline specific steps which the employee can take to correct the problem.
5. Indicate that further disciplinary action may follow if corrective steps are not followed.
6. Keep a brief record of the conversation which may be referred to if additional steps are required.

Written Warning

1. Prepare a clear, objective statement of the behavior that needs correction. (For a recommended format, please see the Employee Counseling Statement in the Forms section of this manual.)
2. Avoid subjective or inflammatory comments or labels or unsubstantiated allegations in this statement. Focus on the specific issues, the specific expectations and the specific consequences to be expected if the expectations are not met.
3. The time frame in which improvements are to be made should be clearly specified.
4. Review the written warning in a face-to-face meeting. Allow the employee to respond in writing to the written warning and have them sign an acknowledgement of receipt of the warning and give the employee a copy of the statement. If the employee refuses to sign, you may inform them that the signature is not an indication that they agree with the statement, but that they have received it. If they still decline to sign, you may note this on the statement and inform them that the warning still stands even without the employee's signature.
5. For all Choice clients, it is recommended that the written statement be forwarded to Choice to be placed in the employee's personnel file. This step is required of PEO clients.

Some companies add a second "final written warning" step to this process. This final warning follows the format outlined above but specifically mentions suspension or termination as the next step of correction if improvement is not made.

When an employer has reached the point where suspension or termination is anticipated, it is recommended that the employer contact Choice before proceeding to determine if there are any legal considerations which should be taken into account.

Suspension

It is recommended that a statement similar to that described above be completed, including information about the length of suspension and the manner in which pay and benefits will be handled during that period.

Again, ask the employee to sign the acknowledgement of receipt and forward a copy of the statement to Choice.

Termination

It is advised that you hold a termination conference with the employee and, whenever possible, have the supervisor or another management person in attendance. Clearly restate the issues leading to the termination. Speak truthfully, but respectfully. Direct the employee to return all company equipment. Make arrangements to provide the employee with their final pay in a manner consistent with legal requirements in your state.

Forward notice of the termination to Choice.