

CORRECTIVE ACTION GUIDE

There are times when an employer may find that an employee's work or behavior is 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 comments clear, specific, and respectful.

But when that negative work pattern or personal conduct is serious or pervasive, it may be necessary to take some form of corrective action.

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

To make sure that corrective action is fair, unbiased and even-handed, it is recommended that correction be carried out in a predictable and well-defined process. The appearance that discipline is applied inconsistently can lead to accusations of favoritism, or even illegal discrimination.

Many employers employ a sequence of actions which increase in severity, depending upon the seriousness of the offense and whether or not an employee has acted to correct their behavior based upon earlier, milder forms of corrective action.

However, there are certain circumstances when the serious nature of offenses may lead to immediate termination without other, less severe, corrective steps being taken. Your company's policies should include a statement that immediate termination is possible, when circumstances warrant it.

The sequence of disciplinary steps 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 a possible next step, which may preserve employment while making clear the seriousness of the situation.
3. Termination. Generally this should be a last resort, utilized in cases where performance or behavior is unchanged after repeated corrective action. However, termination may occur immediately in cases of severe policy violations or criminal behavior such as violence, theft, falsification of records, or other similarly serious actions.

Specific recommendations for each of these actions are given below. At any time, if you are uncertain how to proceed, you are encouraged to contact Choice.

Verbal Warning

Things to include in any verbal warning:

1. Inform the employee of the specific issues concerning their conduct or job performance.
2. Include specific examples of the behavior at issue.
3. Encourage the employee to communicate, allowing them 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.

(In preparation for a corrective action meeting, it is recommended that you read the recommendations for effective disciplinary conversations included at the end of this document.)

Written Warning

1. Prepare a clear, objective statement of the behavior that needs correction
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. It is recommended that the written statement be placed in the employee's personnel file.

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 include this in the employees personnel file.

Termination

It is advised that you hold a termination conference with the employee, and whenever possible, the employee's direct supervisor or another management person should be 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 the legal requirements in your state.

Contact Choice to communicate the termination, so that the employee's record can be updated.

EFFECTIVE CORRECTIVE CONVERSATIONS

1. Determine whether discipline is called for. Is the problem an isolated infraction or part of a pattern?
2. Have clear goals for the discussion with the poor performer. By the end of the meeting, the employee should have a clear idea of the manager's expectations for improvement. Managers need to be specific; they should not rely on indirect comments.
3. Hold the discussion in private. A public reprimand embarrasses the employee and his/her coworkers. The manager often loses the trust and respect of all who observe the public reprimand.
4. Be calm. A calm manager is more likely to remain objective and undistracted by irrelevant problems.
5. Time the discussion carefully. Don't let the employee spend time worrying about what is wrong or preparing defensive arguments.
6. Prepare effective opening remarks. Think about and rehearse the opening remarks in advance.
7. Avoid beating around the bush. Too much small talk at the beginning will actually raise the employee's anxiety level.
8. Ensure two-way communication. The most helpful disciplinary meeting is a discussion, not a lecture. The objective of the meeting is to come up with a solution, not to berate the employee.
9. Establish a follow-up plan with time frames for improvement.
10. End on a positive note. Emphasize the employee's strengths, so that the employee can leave the meeting believing that the manager and the company want him/her to succeed. However, do not leave the employee with the false impression that a serious problem is somehow "not serious".