


Corrective Action and Discipline

Presented by:

Human Resource Services


Revised Oct. 2019




Objectives

Overview of Policies and Procedures


- Corrective Action Process
- Disciplinary Process






Is there a need for **CORRECTIVE ACTION** in the workplace? Why or Why not?

What is the difference between **CORRECTIVE ACTION** and **DISCIPLINARY ACTION**?






Corrective Actions Are . . .

Preventative measures taken

- to promote compliance with established agency rules and expectations;
- to change unacceptable behavior.






Benefits of Corrective Action

- Communication
- Provides Opportunity to Adjust
- Accountability
- Standardizes Process






Disciplinary Actions are . . .

Formal, pay affecting actions, taken when either


- corrective measures fail to correct problem OR
- seriousness of offense warrants more formal measures

Imposed only by appointing authority
(per BPPM 60.10. See HRS webpage to find out who the AA for your area is)

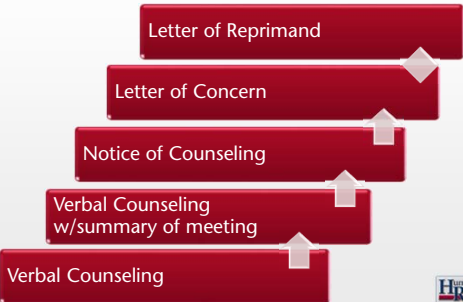


Progressive

- Typically, both corrective and disciplinary actions are “*progressive*” -- starting at the lowest level, and then progressing up the steps.
- However, this depends on the specifics of each case



Progression of Corrective Action




Letter of Reprimand

Letter of Concern


Notice of Counseling

Verbal Counseling w/summary of meeting

Verbal Counseling



Progression of Disciplinary Action
(Appointing Authority)




Dismissal

Demotion

Reduction in Pay

Suspension (1-15 days)


Pre-Disciplinary Notice



Identifying a Performance Deficiency


Review the following:

- Position description, goals and expectations
 - Are they current and accurate?
- Last Performance Reviews or Annual Review
- Did the employee receive previous corrective actions?
- Did the employee receive previous discipline?
- Applicable policies and/or procedures - university and departmental:
 - Was it communicated to staff?
 - How was it communicated?



Addressing Performance Issues

- Determine who will meet with employee.
 - Immediate supervisor
 - You and Director/Chair
 - You and immediate supervisor
- Consider setting and location
- State concerns and issues clearly
 - Reminder: Do not state to the employee that this is a HRS meeting or a HRS imposed meeting.
- Focus on behavior, not person
- Indicate seriousness of problem
- Clarify expectations




Clear Rules & Guidelines

Are more effective when they are:

- Needed
- Communicated
- Understood
- Written/Recorded
- Applied equally
- Enforced







Department Expectations

Typical examples of department expectations:

- Hours of work
- Overtime rules
- Dress Code
- Requesting annual leave
- Call-in procedures for sick leave







Examples

Your employee Jane Doe Smith is the receptionist for the department. Her work schedule is 8 am to 5 pm. For the last month she arrives to work around 8:15 am at least 1-day per week.

How would you address the situation?







Examples

Your employee Jane Doe Smith continues to be late to work. She is now taking longer breaks and extending her lunch period.

How would you handle this situation?







The Wrong Way to Document...

On June 5, met with Joe Adams, verbally counseled about improper behavior.


As written - will you remember the "behavior"?






The Right way...

On June 5, Joe Adams was verbally warned about his inability to meet deadlines and failure to come into work at his designated start time(s) on dates(s).







Another Wrong Way ...

Joe Adams is unable to do his job.


How would you correct this note?






The Right Way...

Joe Adams did not complete [Name] project by the established deadline of [date] and has been late to work by more than 15 minutes on [date, date and date].







Employee Situation

This month, your employee John Jones has been absent every week on Friday and/or Monday and late for work without calling in to you six times.

- Last month you issued him a Notice of Counseling for similar behavior.
- How would you handle this situation?







During a Corrective Action Meeting

Let the employee respond

- Listen
- Don't Interrupt
- Don't lose your temper
- Don't argue


Consider/Reconsider course of action based on employee input






Tips


- Apply corrective consistently, fairly and impartially
- Set a good example
- Don't "save up" concerns
- Praise in public—criticize in private
- Contact HRS for guidance






Things to be Aware of...


- Notice of Investigation
- Timeliness
- Double Discipline
- Due Process
- Union Contract





Notice of Investigation

- Depending on the issue/situation a *Notice of Investigation (NOI)* may be appropriate to give.
- Bargaining unit covered employees must receive a written NOI within 10 working days from the date the supervisor or manager becomes aware of the situation.






More...

Samples of Investigations:


- Allegations of inappropriate use of state resources
- Allegation of workplace violence
- Office Of Civil Rights Compliance & Investigation (CRCI): Allegation of harassment or discrimination






Double Discipline


- Cannot discipline for conduct which was previously addressed as corrective action (verbal or written).






Considering Disciplinary Action

- Contact HRS for guidance
- Issue a Pre-Disciplinary Notice
- Schedule a Pre-Disciplinary Meeting
- Appointing Authority should attend meeting
- HRS attends the meeting







Examples

Employee John Smith over the past month has been consistently late for work and on two separate occasions was a no-call no-show.


How would you handle this situation?






Pre-Disciplinary Meeting


- This is the Employee's meeting
- Employee is allowed to have a union representative or co-worker attend
- Meeting is voluntary, employee can respond in writing or not attend
- After the meeting, the Appointing Authority makes decision, taking into consideration employee's input






Considerations


- Does the proposed discipline fit the violation?
- Is the proposed discipline likely to correct behavior?
- Review prior performance issues
- Review performance evaluations
- Extenuating circumstances
- Seriousness of the offense






Disciplinary Action Letter

- Action is decided **AFTER** employee has had the *opportunity* to respond
- If disciplinary action is decided, the appointing authority notifies employee in writing of action.
- HRS drafts the letters.







How Would You Handle...

Your employee walks off the job without permission:

The employee requests use of annual leave the next day to cover time missed.

Should you approve use of annual leave?







More...

You send your employee home due to inappropriate behavior:

Are you required to pay the employee?







More...

You gave your employee a pre-disciplinary notice.

- Employee calls in sick the next day, completes Family Medical Leave (FML) paperwork and is approved.


What happens to the pre-disciplinary process?






Memo & Letter Templates


- HR Consultants are available to provide guidance with employee issues including verbal counseling, and writing corrective action memos or letters.
- HRS and the appointing authority draft disciplinary action letters.
- Web resources are also available in the Managers Section at www.hrs.wsu.edu






Probationary & Trial Service

- Probationary Employees
 - Performance concerns
 - Previously discussed – behavior continues
 - Requires 1 day written notice (WAC 357-46)
 - Template of notification letter on HRS website
- Trial Service Employees
 - Recommended that employee is notified of deficiency AND allowed a reasonable amount of time for improvement before reversion
 - Requires 7 calendar days written notice for civil service, 15 calendar days for BU



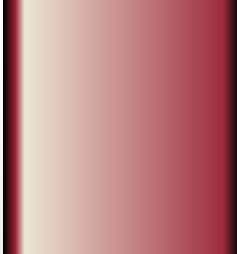
Question...

- What are the possible implications of an employee not performing at highest standards passing a probationary or trial service period?



Resources

- WAC 357-37, 38
- Collective Bargaining Unit Agreements
- HRS Website – hrs.wsu.edu
 - Corrective/Discipline Guide



For assistance and answers to questions contact HRS at 335-4521, or hrs@wsu.edu

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This has been a
WSU Training
Videoconference

If you attended this live training session and wish to have your attendance documented in your training history, please notify Human Resource Services within 24 hours of today's date:

hrstraining@wsu.edu
