

	Subject of Procedure: Employee Counseling and Involuntary Separation	
	Section of Manual: Human Resources	Procedure Number: 119
	Originating Unit: Human Resources	Effective Date: August 1, 1998 Rev: April 1, 2021

Process:

Where it appears appropriate and effective, CareLink will utilize a system of progressive discipline to address the remedy of situations where an employee demonstrates unacceptable conduct and/or performance. Under the agency's system of progressive discipline, each incident which may require disciplinary action will be examined carefully to insure verification of facts and consistent application of corrective measures. Further, whenever reasonably feasible, an effort will be made to make certain the employee understands the rule that is involved, why the behavior is inappropriate or unacceptable, and specific changes which must be made in order to bring the employee's conduct or performance to an acceptable level. The progressive discipline principle allows the employee to see the results of his/her actions if the problem persists and encourages the employee to develop good self-discipline habits so as to make further imposed discipline unnecessary.

Progressive discipline is not applicable in every instance where disciplinary action is warranted. Specifically, if an employee's violation of agency work rules or policies involves gross misconduct (such as actions which involve the violation of state or federal laws, actions involving workplace violence, intoxication, disorderly conduct, fraud, abuse, insubordination, falsification, expired documents, etc.), the employee may not be eligible for progressive discipline and instead will be subject to more serious disciplinary action, up to and including immediate termination. Actions requiring discipline and the progression of disciplinary steps which will be followed may vary at the sole discretion of the agency and will not necessarily be limited to those actions listed in this policy. Not all actions which might warrant immediate or progressive discipline are specifically included in this procedure.

The progression of steps of discipline may include any or all of the following:

1. **Counseling with Record of Conversation:** Discussion by the supervisor with the employee of behavior which could result in progressive discipline. The discussion should be documented in the supervisor's files but need not be filed with Human Resources and the employee's personnel file. However, relevant Records of Conversation should be attached to any future documented progressive discipline pertaining to the discussed topic. Records of conversation should include the date and time of the conversation, main points covered with the employee, corrective steps

required and a summarization of any response the employee may have provided. This record does not require an employee signature.

2. **Documented Verbal Warning:** A verbal discussion between a supervisor and an employee about an employee's failure to comply with a rule or demonstrated unacceptable conduct or performance. This is the first step in the formal disciplinary process. The supervisor must document on an Employee Counseling Report (ECR) that the meeting occurred, the subject of the meeting and the outcome of the meeting and submit the documentation to Human Resources for inclusion in the employee's personnel file.
3. **Written Warning:** A second or subsequent documentation of a disciplinary issue. Documentation is submitted to Human Resources for inclusion in the employee's personnel file.
4. **Suspension pending review of Termination of Employment:** This final step in the progressive disciplinary process requires both documentation of the rationale and circumstances and accompanying submission of an ECR documenting the termination. All termination recommendations should be discussed with the Department Director. Terminations **require** consultation with the Human Resources Manager **prior** to notifying the employee. The suspension is enacted while the termination recommendation is reviewed by Human Resources.

* **Suspension: Suspension from work, with or without pay, is an OPTIONAL step in the disciplinary process.** Suspending employees as punishment is not particularly effective nor is it encouraged by the agency. Suspension is generally called for when it is necessary to remove an employee from the work environment while decisions are being made on an appropriate progressive disciplinary step; for example, while investigating a sexual harassment complaint, as a result of an altercation between an employee and another individual, when an employee is at work in an intoxicated state or when a recommended termination is under review. Suspension can occur at any point in the progressive disciplinary process. Suspensions must be documented on an ECR and submitted to Human Resources for inclusion in the employee's personnel file.

The following are some examples, but certainly not a comprehensive list, of the kinds of situations that might call for progressive discipline:

1. Chronic and/or excessive tardiness/absenteeism
2. Leaving the work area without authorization or not being in an assigned area or location as designated
3. Profanity or hostility directed at a supervisor, co-worker, customer, or visitor
4. Inefficient or ineffective work based upon established agency and/or department standards (poor work performance)
5. Failure to report an accident, injury, or hazardous situation in a prompt manner

6. Violation of agency policies and procedures
7. Failure to report known deficiencies or violation of policy by others

Cumulative Discipline Impact:

CareLink strives to employ individuals that share a passion for the agency mission, demonstrate the appropriate attitude toward work requirements and are proficient in their duties. An employee receiving three disciplinary actions of any progressive step during their employment would indicate a failure to support those principals and will be reviewed for termination regardless of the nature of the separate progressive discipline actions.

Review of Disciplinary Actions:

The direct supervisor of the issuing supervisor and the Human Resources Manager are required to review any and all Progressive Disciplinary actions that require inclusion in the employee personnel file. This review is documented on the ECR form.

Employee Personnel File ECR Review

Employee may request an in person or electronic meeting with the Human Resources Manager to review Disciplinary Actions in their personnel file.

Appendix 1: Employee Counseling Record - Form HR ECR 20210325