



Worksite: _____ Instructor: _____ Date/Time: _____

Topic C790: Disciplinary Action

Introduction: Disciplinary or corrective action is a process of communicating with the employee to improve unacceptable behavior or performance. Reviewing the Six Tests of Just Cause before taking disciplinary action will help you determine whether to discipline.

- **Reasonable Rule or Work Order.** Is the rule or order reasonably related to the orderly, efficient, and safe operation of the business?
- **Notice.** Did the employee receive adequate notice of the work rule or performance standard and the possible consequences of failure to comply?
- **Sufficient Investigation.** Did you conduct an investigation before making a decision about taking disciplinary action?
- **Fair Investigation.** Was your investigation fair and objective?
- **Proof.** During your investigation, did you find proof of misconduct or of a performance discrepancy?
- **Equal Treatment.** Have you dealt with your employees equally, without discrimination?

Your goal in disciplinary action is to guide the employee to improve performance or correct inappropriate behavior.

Methods of Discipline: Your goal is to guide the employee to improve performance or correct inappropriate behavior.

1. Oral Warning: An oral warning is often the first step of discipline. Follow these tips to ensure effectiveness. Set a time and place to ensure privacy. Make notes about what you want to say. Remind the employee of the acceptable standards or rules. State the consequences of failure to demonstrate improvement. Note the oral warning on your calendar and key elements.

2. Written Warning: If you gave an oral warning and the problem persists, a written warning may be effective.

- State clearly at the outset of the letter it is a written warning.
- Describe the performance problem(s) or work rule violation(s) in very specific detail and attach documents which support your conclusions.
- Outline previous steps taken to acquaint the employee with the issue (coaching sessions, performance appraisals, previous disciplinary actions)
- Note the employee's explanation (as revealed during your investigation) or that the employee declined to offer one. If it was unacceptable, explain why.
- Reiterate your expectations regarding behavior and/or performance.
- Deliver the warning letter to the employee and place it in the employee's departmental personnel file using appropriate delivery procedures.

Types of Discipline

Suspension without Pay: This is normally the next stage in progressive discipline. Suspension typically prevents work for a number of working days, as specified in the letter, and pay is docked accordingly. Length of a suspension without pay will be influenced by policy or contract requirements.

Reduction of Pay: This alternative is normally used when you do not wish to remove the employee from the work site, but serious discipline is appropriate.

Demotion: Demotion is most often appropriate in cases of inadequate performance of responsibilities at a particular level.

Dismissal: This alternative is after all others have failed or in extreme cases, such as job abandonment, theft, or an act that endangers others

Conclusion: Be professional, keeping it between you and the employee; make a careful diagnosis of the problem to determine if action is appropriate; provide specific examples so the employee fully understands what needs correction; allow them ample opportunity to explain.

Employee Attendance: (Names or signatures of personnel who are attending this meeting)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

These guidelines do not supersede local, state, or federal regulations and must not be construed as a substitute for, or legal interpretation of, any OSHA regulations.