

## The Elements of Good Documentation

### 6 Key Items to Provide in Counseling/Written Warning Documentation

1. **Details surrounding event**  
witness statements, any admissions by the employee, or any statements from witnesses of the admission. The more detailed, the better.
2. **Reference to the policy violated**  
Indicates your company has a comprehensive policy related to the action and makes it clear to the employee what policy they violated. Acknowledge any prior verbal or written warnings the employee has received for the same type of action/behavior. This establishes a pattern on the employee's part and reinforces your use of your company's progressive disciplinary action plan.
3. **Action Plan/Improvement Plan**  
If the employee is not being terminated for their actions/behavior at the time, establish an action plan or an improvement plan. This shows that the employee was informed how to correct the problem and given an opportunity to resolve the issue.
4. **Consequences**  
Always make the employee aware of the consequences should they continue with the type of behavior or actions. Include the following. *"Any future occurrences of (action/behavior) will result in further disciplinary action up to and including termination."* This prevents the employee from saying they never realized their job was in jeopardy.
5. **Employee Signature**  
Prevents the claimant from denying they received the counseling. You may choose to make it clear to the employee in writing on the counseling form that by signing they are not agreeing with the write-up, nor is their signature any kind of admission on their part. By signing they are only acknowledging that they have seen the form and it was discussed with them.

#### 6. **Witness signature**

Ideally have a witness present anytime a "formal counseling" is being given. Thus, two people will be able to testify with first hand knowledge regarding the counseling session, should an unemployment hearing arise. Should the employee refuse to sign the write-up it also will provide a second signature for the form.

### Documenting a Voluntary Resignation

1. It is best for company policy to require a two week notice.
2. If an employee gives verbal notice of quitting, always request that they put it in writing. If the employee refuses to give any written notice, have the person who received the verbal notice give a signed, written statement detailing what the employee said.
3. Written notices should be signed and dated, and note the employee's intended last day of work.
4. Find out exactly why an employee is quitting. Is it for another job? Personal reasons? Job dissatisfaction? Harassment? The more information you have the more credible you are in the event of an unemployment hearing.

#### **For Voluntary Resignations, Keep in Mind:**

- If an employee gives two weeks notice of intent to resign and you accept it immediately the employee will be eligible to collect unemployment for at least the time frame of the notice period and, in some states, it can even be viewed as a discharge. The only way to accept a resignation of this nature immediately without affecting the unemployment claim is to pay the claimant the scheduled (or expected hours) for the remainder of the notice period.
- If an employee is given the option of voluntarily resigning or being terminated the state will still view this as a discharge. The state will say this type of separation was initiated by the employer.