

Progressive Discipline

Employers know the use of progressive discipline helps an employee understand that a performance problem or opportunity for improvement exists and helps the employee overcome those performance problems and satisfy job expectations. It is most successful when it assists an individual to become an effectively performing member of the organization. Failing that, progressive discipline enables the organization to fairly, and with substantial documentation, terminate the employment of employees who are ineffective and unwilling to improve. Organizations whose managers follow recognized documentation best practices are in a much better position to protest unwarranted unemployment claims.

There are five elements to all effective documentation of progressive discipline:

1. Date of the infraction
2. Details of the infraction
3. Explanation of corrective action needed
4. Statement of next disciplinary steps
5. Signature of the employee

Warnings and Corrective Action

An element of progressive discipline, warnings and corrective actions are an effective way of ensuring an employee understands what is expected of them. State agencies look for warnings, in most instances, to determine if the claimant was discharged for misconduct—a deliberate or willful violation of company rules. It is the employer's responsibility to ensure that all employees are aware of company, rules policies and procedures.



Guidelines:

- When your company issues an employee handbook or rules, retain an acknowledgement of receipt in the employee's file.
- Special policies and procedures should, if possible, be posted.
- Be consistent: enforce rules and policies uniformly
- Be specific and objective when you counsel employees. Avoid using general statements, e.g., "poor performance," to describe willful or deliberate violations of rules within the employee's control. Permit the employee to respond in writing.
- Note witnesses, dates, time, etc. of documented incidents
- Request employees to sign all warning notices. Witnesses to warnings are recommended. If the employee refuses to sign, write on the notice that the employee refused to sign, and ask the witness to sign his/her name next to the statement. Remember, signing a warning notice does not mean the employee is admitting to the offense; it is simply an acknowledgement of receipt.
- Follow up. If you warn a suspended employee, document what is expected and note any important timeframes.
- Although written warnings are better, notes or verbal warnings are important if documented.