

Progressive Discipline

A Management Perspective

Basic Parameters

Manager should be familiar with:

- ▶ Any applicable collective bargaining agreements
- ▶ Organizational personnel policies, civil service rules, any other policies/rules/practices
- ▶ Responsibility to consult Human Resources or any other resource/authority prior to taking action

Today's presentation focuses on basis progressive discipline—does not cover specific collective bargaining or civil service rules/procedures

Progressive Discipline

- ▶ Managing employee disciplinary issues and improving employee performance through clear and consistent guidelines

Progressive Discipline

- ▶ Employees and employee issues are complicated
- ▶ Process can be time consuming and frustrating
- ▶ Managers are busy and it can be hard to find time to address employee issues



Progressive Discipline



- ▶ Unresolved employee issues take more time and energy, cost more money and cause more damage in the long run

Progressive Discipline

- ▶ Even if you don't end up in court, unresolved employee problems result in loss of productivity and morale

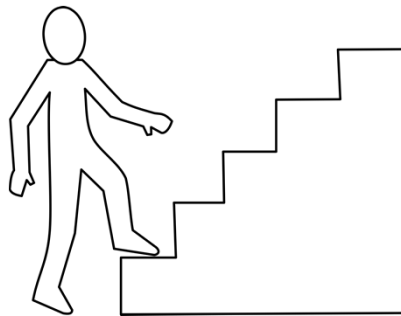


Progressive Discipline

- ▶ Designed to give an employee:
 - ▶ Notice that job performance not meeting expectations/needs improvement
 - ▶ Opportunities to improve job performance
 - ▶ Information concerning what to expect if performance does not improve

Progressive Discipline

Designed as a series of escalating steps



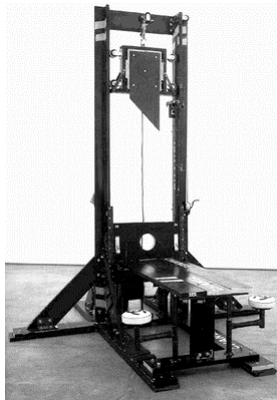
Progressive Discipline

Manager may start at a higher step when serious issue



Progressive Discipline

And even at termination for the most serious infractions



Progressive Discipline

A Four-Step Template

Verbal Warning

First Step



- ▶ Supervisor meets with employee
- ▶ Informs employee of concerns
- ▶ Listens to employee's side

Verbal Warning

First Step



- ▶ Supervisor considers all information
- ▶ If discipline is warranted, issue verbal warning

Verbal Warning

First Step



- ▶ Briefly establishes the problem to be corrected
- ▶ Informs the employee what needs to be done

Verbal Warning

First Step



- ▶ Warns the employee failure to correct problem or further violations may result in further discipline, up to and including termination

Verbal Warning

First Step



- ▶ Employee receives a copy and signs acknowledgement of receipt
- ▶ Copy to personnel file

Written Warning Second Step



- ▶ If employee fails to improve, repeats behavior or commits a new more serious offense
 - ▶ Supervisor meets with employee & shares concerns
 - ▶ Gives employee opportunity to respond

Written Warning Second Step



- ▶ Supervisor considers all information
- ▶ If discipline is warranted, determine appropriate level

Suspension Without Pay

Third Step



- ▶ If problems continue, consider advancing to the third step
- ▶ Organization may have third step options to suspension
- ▶ Loudermill may apply

Suspension Without Pay

Third Step



- ▶ Employer investigates allegations
- ▶ Employee given written notice:
 - ▶ of alleged violation(s)
 - ▶ explanation of evidence
 - ▶ Penalty being considered
 - ▶ Time & date for "hearing"

Suspension Without Pay

Third Step



- ▶ At the hearing
 - ▶ Employee has the opportunity to correct any factual error and to provide any mitigating information
 - ▶ Employer should be represented by at least two people
 - ▶ Supervisor (or other decision maker)
 - ▶ Note taker
 - ▶ At conclusion of hearing, supervisor should state he/she will consider all information provided and give an anticipated time when decision will be rendered

Suspension Without Pay

Third Step



- ▶ The Decision
 - ▶ Written
 - ▶ Clearly state the facts found and the conclusions supporting the decision
 - ▶ Delivered in meeting with employee with brief verbal explanation
 - ▶ Decision can be suspension (or other 3rd level) or can be lower or higher as justified by the facts

Termination Fourth Step



- ▶ When problems continue or a serious violation occurs
 - ▶ Termination becomes an option
 - ▶ Loudermill applies
 - ▶ Legal counsel should be involved

Termination Fourth Step



- ▶ Process same as Third Step
 - ▶ Investigation
 - ▶ Written notice of charges and Loudermill
 - ▶ Hearing
- ▶ Be sure all documents clearly state termination under consideration

Termination Fourth Step



- ▶ Decision
 - ▶ Serious consideration
 - ▶ Be clear on facts and conclusions
 - ▶ Consider precedent/employee history
 - ▶ Other options:
 - ▶ longer suspension
 - ▶ last chance agreement

Progressive Discipline A Few Termination Tips

- ▶ Resignation in lieu of termination
- ▶ Timing of termination
- ▶ Communication to other employees



Progressive Discipline

Parting Comments



Questions



Marci Wright
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Marci Wright retired in 2014 after over 16 years as the City of Shoreline's first Human Resources Director. Previously, she worked for Thurston County as Director of Employee and Administrative Services (1987 - 1997) and Deputy Prosecuting Attorney (1980 - 1987). Currently volunteering for MRSC, she continues to be interested in the full range of human resource issues, especially training, facilitation and problem resolution.