



## **Progressive Discipline Guidelines**

*This guide is intended to serve as a tool to help supervisors evaluate and respond to employee performance problems and workplace issues in a fair and effective manner. It is not intended to stand alone, nor does it constitute legal advice regarding specific incidents.*

*The chart below is provided as a general guideline for examining and responding to employee conduct and work performance issues. It is not intended to be all-inclusive. This guide was developed for use in determining appropriate action for cases involving regular, non-contract personnel (classified employees) and, if appropriate, faculty and administrators. Faculty and other contract personnel may be governed by conditions of their contracts, and other College disciplinary provisions may apply. For more information, contact the Vice President for Academic Affairs. Probationary and temporary employees can be terminated without the right to appeal.*

*Important Note: The circumstances with regard to the employee's conduct that would initiate a disciplinary action (as outlined in these guidelines) will be the determining factor with regard to sequence of actions to be taken. In other words, the severity of the conduct or extenuating circumstances with regard to the employees conduct may warrant a more severe (or less severe) response than what is proposed in these guidelines.*

*When using this guide, consideration should always be given to the nature of the incident, the frequency of the violation, and the employee's overall work record before disciplinary action is taken. Progressive disciplinary actions may be taken based on continuous violations of the same or related work standards. Where employees are subject to professional and/or state regulations or licensure, **additional sanctions may apply.***

*As a matter of standard operating procedure, supervisors must discuss any possible disciplinary actions with the Director of Human Resources. The supervisor or department head must discuss with the Director of Human Resources detailed facts of the case before informing the employee. Early intervention by Human Resources may prevent potential problems should the issues with the employee continue. Because these actions are guidelines, other forms of discipline are allowable but should follow the progressive nature of this list and should be documented noting further, more severe actions should behavior persist.*

*Before you act, ask yourself:*

- *Is the employee aware of the policy or expected behavior?*
- *Have I objectively gathered all the facts?*
- *Has the employee had the opportunity to respond?*
- *Am I responding quickly, consistently, and reasonably?*
- *Has the employee been previously counseled?*
- *Do prior performance evaluations substantiate the employee's ongoing*



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*performance deficiencies?*

- *Has progressive discipline been applied? If not, why not?*
- *Is the case well documented?*
- *Is the discipline reasonably related to the seriousness of the offense?*
- *If your decision will result in any disciplinary actions, you must contact the Director of Human Resources. If the affected employee is on a contract, contact the appropriate Vice President for guidance before proceeding. Issues involving faculty require notification and guidance from the Vice President for Academic Affairs before proceeding with any actions.*

### **When disciplinary action is taken**

*When an employee is given an oral or written warning, s/he should be informed of the specific work performance deficiency and provided constructive feedback, expectations for improvement, and additional training when warranted. An employee receiving an oral or written warning is expected to correct the deficiency, ask for feedback when needed, and sustain improvement over time. The supervisor must sign all written correspondence to the employee and send copies to the next higher administrative level and to Human Resources.*

*When a non-probationary, non-contract employee is suspended without pay, demoted, or terminated, the employee should be informed in writing of the specific reasons for the action taken. In the letter, advise the employee of his/her right to answer the charges by appealing to the next higher administrative level in the employing unit.*

### **PROGRESSIVE DISCIPLINE LEVELS:**

*First Level Written Warning(1W) – First level of Formal Progressive Discipline.*

*Second Level Written Warning(2W) – Second level of Formal Progressive Discipline.*

*Final Warning (FW) - Final and last step to improve performance prior to Termination.*

*Discharge (D) – Termination for cause.*

### **DEACTIVATION:**

*First Level Written Warning – Twelve (12) Months.*

*Second Level Written Warning – Eighteen (18) Months.*

*Final Warning – Twenty Four (24) Months.*



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**Work violations and suggested responses**

<i>Description</i>	<i>Violation</i>			
<i>Remember: Consideration should always be given to the nature of the incident, the frequency of the violation, and the employee's overall work record before disciplinary action is taken.</i>	<b>1<sup>st</sup></b>	<b>2nd</b>	<b>3rd</b>	<b>4th</b>
<i>1. Poor performance of duties, including failure to follow instructions or to maintain established standards of workmanship or productivity, because of an unwillingness to perform or carelessness. (See also # 9)</i>	1W	2W	FW	D
<i>2. Violation of an attendance policy involving unscheduled absence or tardiness for whatever reason, including failure to report to the workstation at the beginning of the scheduled shift or leaving the workstation prior to the scheduled conclusion of the work period, and absences that exhibit a pattern or trend. (See also # 3, 7, &amp; 15)</i>	1W	2W	FW	D
<i>3. Failure to inform the supervisor when leaving the workstation or failure to report back to the workstation at the scheduled conclusion of a work break or meal period. (See also # 2, 7, &amp; 15).</i>	1W	2W	FW	D
<i>4. Failure to conform to a departmental uniform or dress code policy, including the failure to wearing of identification badges or nametags, not using proper safety equipment or dressing inappropriately for the workplace.</i>	1W	2W	FW	D
<i>5. Use of profane, abusive, or loud/boisterous language on College premises, or actions which may be discourteous or harmful to others, including smoking in designated non-smoking areas including buildings. (See also # 11 &amp; 12)</i>	1W	2W	FW	D
<i>6. Use of another's computer sign-on or computer access code or providing another the use of an individual's sign-on code without proper authorization to gain unauthorized access to confidential or privileged information. (See also # 15)</i>	2W	FW	D	
<i>7. Failure of an absent employee to notify the supervisor on each day of absence, unless such notice requirement is waived or notification not provided in accordance with departmental procedures. (See also # 2 &amp; 17)</i>	2W	FW	D	
<i>8. Failure to adhere to College or departmental safety policies or procedures, including failure to immediately report an accident on College premises involving an on-the-job injury or property damage.</i>	2W	FW	D	
<i>9. Insubordination, including refusal to accept instructions from supervisors, security officers, civil defense personnel, or other proper authorities. (See also # 1)</i>	FW	D		
<i>10. Unauthorized or improper use of College property and/or services such as non-business-related use of college computers or information technologies (printers, scanners, etc.), unauthorized use of phone for personal use (long distance, local, etc.). (See also # 17 and IT Policy)</i>	2W	FW	D	



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<p><b>11. Aggressive Behavior - Failure to appropriately interact with anyone on College premises (including students, their families, visitors, customers, patients, or other employees), when such behavior violates another's privacy or dignity, including, but not limited to, aggressive profanity, and threatening to fight. (See also # 5)</b></p>	FW	D		
<p><b>12. Harassment/Severe Inappropriate Conduct - Violation of Non-Harassment Policy, or creating a hostile work environment at a level that constitutes Harassment. This includes, but is not limited to, stalking and bullying, jokes/display of electronic and social media and other demeaning material targeting protected categories such as race, color, gender, age, national origin, religion, disability, or veteran status. Severe inappropriate conduct is also in this seriously grievous category.</b></p>	D			
<p><b>13. Fighting, or other physical action against another person while on College premises.</b></p>	D			
<p><b>14. Being in an unfit condition to perform the duties of the job, including sleeping on the job or working under, or suspected of working under, the influence of drugs or alcohol.</b></p>	FW	D		
<p><b>15. Falsifying any college record, including but not limited to intentional failure to accurately record time records or registering the time card of another employee without proper authorization.</b></p>	D			
<p><b>16. Commission of any crime on college premises such as theft, unauthorized removal of or willful damage to property, unauthorized possession of alcohol/weapons/explosives, gambling, being found in possession of or manufacturing of illegal drugs or illegal substances or, commission of a work-related crime while off campus. (See also # 10)</b></p>	D			
<p><b>17. Behavior that compromises another's safety or privacy or discloses confidential college information, including medically related records. (See also # 6)</b></p>	D			
<p><b>18. Any activity that violates federal or state standards regulating the provision of professional services or violation of regulations affecting continued licensure, commissioning, or certification in a profession.</b></p>	D			

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