

# GROWERTALKS

## Features

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## Being Progressive with Discipline

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Even if you make great hiring decisions, you may find it necessary to discipline some of your employees. Progressive discipline is an approach to dealing with poor employee performance and conduct in which the actions taken are corrective and progressively more severe while being appropriate to the problem.

The critical first step is to establish clear, understandable policies, procedures, job descriptions and performance standards and give advance warning of the consequences of violations or deficiencies. You should also advise your employees of conduct that will result in immediate termination, such as violence in the workplace.

A progressive discipline policy can build trust between your management and your staff. It allows employees to correct or improve their performance or conduct before being disciplined, and also demonstrates fairness and a willingness to give employees a chance. In this way, the employee participates in his or her own improvement. This type of discipline policy provides you, the employer, an opportunity to gain an effective employee while also learning how to improve the work environment.

### **Levels of discipline**

Verbal and written reprimands, counseling and warnings are considered pre-discipline measures. Disciplinary action is suspension, demotion or dismissal. Progressive discipline usually begins with verbal discussions and proceeds to increasingly stronger counseling or training to correct or improve your employee's performance or conduct. Before beginning the progressive discipline process with an employee, make sure that the measure is for a job-related and non-discriminatory performance or conduct.

As a manager, you have the discretion to determine the sequence of the steps and the number of times to repeat each step with any particular employee. For example, you may counsel an employee several times before issuing a written reprimand or write several reprimands before recommending disciplinary action. Depending upon the seriousness, such as violence, the manager may determine that disciplinary action is appropriate for the first incident.

The employee's supervisor is in the best position to investigate and implement creative solutions for a good employee. For example, your staff member may be under stress at home and the solution may be to temporarily reduce work hours. Or, perhaps your direct report may perform better under a different supervisor who has a different management style. The employee may also improve after being transferred into a different job.

### Step by step

The following steps are common to most progressive discipline policies:

**Step 1:** Meet with the employee and begin counseling and verbal discussions. Explain what performance or conduct is unacceptable and what improvement is required, along with suggestions for accomplishing the improvement. You may assign the employee a mentor who can provide the necessary coaching or training. Allow the employee to tell his or her side of the situation and to participate in creating the improvement plan. Set a date for follow-up. Always prepare a written record detailing the meeting, have the employee sign it to acknowledge the meeting took place, and give a copy to the employee. The object is to correct or improve—not to punish.

**Step 2:** Conduct regular meetings with the employee to review progress. However, if the employee's performance or conduct continues to be substandard, prepare a written description of the required improvement along with suggestions, corrective actions that were taken, and a warning about the consequences for failure to improve. Allow the employee to participate and explain any obstacles they may have to improving their behavior or participating in creating another improvement plan. Give the employee notice that they will be disciplined if their conduct or performance doesn't improve. Again, prepare a written record of the meeting, have the employee sign it, and give him or her a copy. If the employee refuses to sign, document this on the written record. Give the employee an opportunity to submit a written reply to the reprimand.

**Step 3:** Before the decision to discipline becomes final, perform a fair and objective investigation and talk to the employee. Often, poor discipline decisions and litigation result from failure to conduct an objective investigation. Also, consider the impact upon workers' compensation, unemployment compensation, the Family and Medical Leave Act and Americans with Disabilities Act.

**Step 4:** If the employee still doesn't meet your standards, then finalize the discipline by consistently following your written policies. A letter informing the employee of the final decision and the effective date of the discipline, demotion, suspension or termination is the most usual method of informing the employee of the organization's decision. If you act reasonably and fairly, the employee won't be surprised when you finally implement the discipline because you repeatedly communicated the behavior or performance expectations which they chose not to follow.

When conducting your investigation, you may learn something new about the work practices of your organization and the relationships between your managers and employees. Direct supervisors and coworkers may provide an important perspective. You may also find that workers, managers or senior-level executives would benefit from additional training.

It's good business practice to apply your written policies and past practices consistently and to any situation. Have other employees in similar situations been disciplined or not? If employees feel their work environment or their discipline are unfair, they may feel the organization is not a fair place to work. Employees with long tenure require more help and counseling before discipline is considered appropriate. If you have a union contract, your discipline policy must be in compliance with the terms of that contract.

By not taking action, you may preclude yourself from taking action in a similar situation in the future. In addition, it may communicate to your employees that there are no guidelines of acceptable conduct or work practices. When you take notice of one employee's unacceptable conduct or work practices, other employees will improve their conduct and work practices, as well. When you terminate an employee for unacceptable conduct, your other employees may experience an overall better work environment since you've removed the substandard performance or conduct. What you will end up with is a better product or service to your customers and a better work environment for everyone.

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