Policy 4.63
Corrective Discipline

This policy version was not current at the time of printing. Please see http://policies.emory.edu/4.63 for the current version.

Responsible Official: VP for Human Resources
Administering Division/Department: Employee Relations
Effective Date: March 30, 2007
Last Revision: July 02, 2007

Policy Sections:
I. Overview
II. Policy Details
III. Related Links
IV. Revision History

Overview

The corrective discipline process is designed to be constructive and corrective and to promote employee success. It gives employees the information necessary to understand what aspect of work performance, attendance or behavior is unacceptable, identifies the improvements that are expected, and provides the opportunity for employees to demonstrate the expected improvements. The goal is to improve performance, attendance, or behavior of employees and to assist employees in taking ownership of their performance, attendance, or behavior.

Nothing in this policy and procedure, however, requires management to utilize any particular step or series of steps in disciplinary action. Management may impose any level of discipline, including dismissal, whether or not this is the employee's first unacceptable work performance, attendance or behavior and whether or not a less serious form of discipline has been imposed for any prior performance, attendance, or behavior issues.

It is the responsibility of employees to adhere to the standards of conduct and Emory's policies and procedures. For additional information please refer to the Standards of Conduct policy.

Policy Details

Human Resources consultation is recommended prior to any disciplinary action involving suspension without pay or dismissal to verify that it is consistent with Emory’s policies and procedures.

Corrective discipline by a supervisor should be used to correct or improve unacceptable work performance, attendance or behavior; to prevent recurrence of unacceptable performance, attendance, or behavior; to provide an opportunity for employee growth; and to protect the interests of Emory. All communications with employees regarding discipline should clearly identify the issues of concern and should be clear and direct. Discipline should be timely and consistent and it should not be administered in haste or anger.

When it appears that an employee has violated a policy or procedure, management, in consultation with Human Resources, should decide what type of discipline should be taken.

The following should be done prior to discipline:

- Identify the facts.
- Consider the overall history of performance, attendance, or behavior in the job and length of service.
- Consider the nature, severity and effects of the unacceptable performance, attendance or behavior.
Review and consider previous discipline, if any.
Determine appropriate action based on available information.

Any discussion with an employee concerning discipline should be conducted in a place and manner that respect the privacy of the employee.

PROCEDURES
It is recommended that department management document all steps of the corrective discipline process as they occur, as well as warnings of further corrective action if the performance, attendance, or behavior is not corrected.

In each step, department management is advised to state the next step to be taken if the performance does not improve. However, in cases of serious misconduct, the employee may be immediately dismissed, or suspended from the work force.

When an employee's performance, attendance, or behavior is unsatisfactory, a progressive process is strongly advised. The steps involved in the process may include verbal discussion, written warning, suspension without pay, administrative leave, and dismissal. Any disciplinary step may be omitted depending upon the severity of the incident or other relevant circumstances.

NOTE: The steps of the progressive discipline process may not be appropriately necessary for new employees. Any performance, attendance, or behavior issues may lead directly to dismissal. For purposes of this policy only, new employee is defined as an employee who has been employed less than one year with Emory or an employee who has been employed in the current department less than one year.

VERBAL
When appropriate, the initial disciplinary action should be verbal. The discussion should be firm but fair and should ensure that the employee clearly understands the established standards and expectations with respect to the performance, attendance or behavior.

A written record of the date and content of such discussions should be maintained in the appropriate files in the department.

WRITTEN
When a discussion with an employee has not resulted in the needed improvement or if the initial situation indicates a need for stronger action, the next step is a formal discussion, followed by a written disciplinary warning to the employee. The written warning outlines the performance, attendance or behavior issues, states expectations, and lists consequences if issues continue.

Human Resources is available to assist department management with the warning letter. Copies of this letter should be maintained in the appropriate departmental file and also transmitted to Human Resources to be placed in the official employee file.

SUSPENSION WITHOUT PAY
Suspension without pay follows a verbal or written disciplinary warning if the desired results have not been accomplished. The length of the suspension should depend upon the facts of each case, e.g., type and severity of the behavior, previous work record of the employee, and previous disciplinary actions. Suspension can range from one to five days. However, in some situations, an exempt employee cannot be suspended without pay for less than one workweek. Human Resources must be consulted concerning any proposed suspension of an employee.

The suspension should be clearly explained in a written disciplinary warning to the employee and should indicate any possible consequences of further performance, attendance, or behavior issues.

ADMINISTRATIVE LEAVE
Under certain circumstances, administrative leave may or may not be a part of the corrective discipline process. Provisions for administrative leave can be found in the Administrative Leave With or Without Pay policy.

During an investigation, all Emory property in the possession of the employee (e.g., ID, keys, etc.) should be collected and notice should be given to Information Services to suspend access to systems until the investigation is complete.

DISMISSAL
Dismissal is advised when, among other reasons, an employee has engaged in serious misconduct or an employee has not corrected performance, attendance or behavior.

Prior to dismissing an employee, department management must review the situation and related
information with Human Resources and supply appropriate documentation. It is advised, when possible, that the dismissal be verbally communicated to an employee. It is also recommended that an employee receive a formal letter of dismissal. This letter includes the reason for dismissal, effective date, and applicable information regarding final pay. Department leadership is strongly advised to request assistance from Human Resources in composing the letter of dismissal.

Employees terminated for unsatisfactory performance, attendance, or behavior are not eligible for rehire at Emory University or Emory Healthcare. Emory reserves the right to designate other terminated employees as ineligible for rehire depending upon the circumstances.

ATTENDANCE - JOB ABANDONMENT
When an employee does not report to work for three consecutive, scheduled workdays and does not communicate with the department as to his/her whereabouts or intentions regarding the job, the department should terminate the employee for job abandonment. Prior to taking such action, department leadership is advised to make every reasonable effort to contact the employee to determine the employee's intentions regarding the job. It is strongly recommended that the department send a registered letter (return receipt requested) to the employee indicating that Emory considers the employee to have voluntarily resigned from employment due to job abandonment as of the last day he/she worked.

FINAL PAY
An employee who is dismissed shall be paid for all hours worked through the date of dismissal and for all unused vacation leave hours up to the maximum allowed, provided the employee has completed at least six consecutive months in a leave eligible status. Employees will be compensated for any unused holiday hours accrued but not taken within the one-year limitation.

Emory reserves the sole right to discipline and dismiss employees at any time with or without cause and to modify at any time the terms and conditions of employment (without limitation to salaries, work schedules, or otherwise.).

Related Links

- Current Version of This Policy: http://policies.emory.edu/4.63

Revision History

Emory University policies are subject to change at any time. If you are reading this policy in paper or PDF format, you are strongly encouraged to visit policies.emory.edu to ensure that you are relying on the current version.