

Corrective Action

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The philosophy of the College is to create an environment where employees can be successful and receive support and feedback. When conduct or performance needs improvement, the least adverse action that effectively resolves the concern shall be taken.

I. Engagement and Support

- Set clear expectations—make sure that employees know what is expected of them including all applicable policies, job duties, and standards.
- Assist employees in meeting expectations—provide the appropriate resources.
- Give feedback on job performance, both positive and developmental. Do this continually throughout the year, not just during an annual performance evaluation meeting.
- Communicate effectively with employees to strengthen working relationships and team work.

II. Documentation

- Document anything that is outside of the normal work pattern. If an employee exceeds expectations, document the behavior and share positive feedback with the employee. If the employee is not meeting expectations, document the behavior and share developmental feedback with the employee.
- Include dates, times, and specifics. Document observable behaviors and outcomes.
- Add the names of witnesses if applicable. Get witness statements when appropriate.
- Label your notes as “personal notes”. These are for your own personal use to help you keep track of certain events that have occurred throughout the year. Keep these notes private and separate from the employee’s departmental file.
- Utilize your notes for performance discussions and support for corrective action if needed.
- Retain all emails, notes, selection materials, and work product as appropriate.

III. Corrective Action

The Corrective Action Policy is the primary resource for information on how to administer corrective action at the College. The next section identifies key parts of the policy.

To determine the appropriate level of Corrective Action, the supervisor may consider the following:

- The severity of the concern.
- The repeated nature of the concern.
- Prior disciplinary/corrective actions.
- Previous verbal warnings and performance discussions.
- The employee's past work record.
- The impact on College operations.
- The potential of the violations for causing damage to persons or property.
- Any other relevant information.

1. Part-time, temporary, or probationary staff members

Part-time, temporary, or probationary staff members may be terminated from the College with or without "cause" for any lawful reason deemed adequate by the College, including but not limited to unsatisfactory performance, unsuitability to job requirements or unacceptable behavior.

A. Part-time Employee Concerns

- Address performance/conduct concerns with employee.
- Offer training and coaching as appropriate.
- Reset expectations in writing if there is a lack of progress.
- **Contact Employee Relations** to Terminate employment for substantiated business reasons if performance and/or conduct is unacceptable despite reasonable attempts to correct behavior and in cases of serious misconduct.

B. Probationary Employee Concerns

- Address performance/conduct concerns with employee.
- **Contact Employee Relations** to Terminate employment for substantiated business reasons if performance and/or conduct is unacceptable despite reasonable attempts to correct behavior and in cases of serious misconduct.
- Extend the new-employee probationary period when more time is needed to evaluate an employee's performance. **(Requires HR Assistance)**

2. Corrective Action for Regular Employees

Level One Corrective Action: Informal action that addresses minor employee concerns in an attempt to correct the behavior before it becomes more problematic. Informal actions include but are not limited to the following options: expectations memorandum, training, coaching, and verbal warnings. Supervisors may take informal corrective action with or without HR assistance.

Fair Investigation

Process in which a supervisor who is contemplating Level 2 or Level 3 Corrective Action to address a Concern investigates the underlying issue(s) and evidence to a reasonable extent, provides notice of the allegations and findings to the employee and gives the employee a fair opportunity to be heard, present witnesses and provide documentation as applicable.

Level Two Corrective Action Procedures:

Written Warning and Final Written Warning process:

- i. The supervisor will contact Human Resources to discuss the concern(s) and request the template for the applicable letter.
- ii. The letter must be approved by Human Resources before it is issued.
- iii. The approved letter will be personally delivered to the employee by the supervisor and a witness when possible.
- iv. The employee will be notified of the grievance procedure.
- v. The letter will be added to the employee's personnel file.

Level Three Corrective Action procedures:

- a. Demotion, Reduction in Pay, and Suspension without Pay Process are allowed by policy but rarely utilized.
- b. Termination (for Staff, Faculty termination procedures are found in the Academic Freedom, Professional Responsibility, and Tenure policy):

- i. The supervisor will contact Human Resources to discuss the concerns and to request the Notice of Intent to Terminate template. The Notice of Intent to Terminate draft must be approved by Human Resources before it is issued.
- ii. The approved Notice of Intent to Terminate will be delivered to the employee.
- iii. The employee will be notified that he/she will be placed on paid administrative leave and will have three working days to respond in writing to the Notice of Intent to Terminate.
- iv. If the employee submits a response to the Notice of Intent to Terminate, the supervisor will take the response into consideration before making the final determination.
- v. Final determination decision: Additional steps to finalize the process will be provided by employee relations.

3. Additional Corrective Action Information

Job Abandonment: An employee who fails to show for his/her shift for three consecutive shifts and fails to notify his/her supervisor will be terminated due to job abandonment. See policy for specific procedures.

Written Warning Letter, Letter of Probation, and Final Written Warning Letter Request for Removal Process: After three (3) years of satisfactory performance, the recipient of a written warning letter may make a formal written request to his/her current supervisor for removal of the written warning letter from the employee's personnel file. See policy for procedures.

The Corrective Action Meeting:

- Prepare for the meeting: What will you say? What questions can you expect?
- Find a witness to sit in on the meeting—typically a confidential assistant is the most appropriate witness.
- Set up the meeting in a private area away from other employees and students.
- Read the letter to the employee.
- Remain calm and professional.
- Focus on the behavior and the impact that the behavior has had on the department.
- Refocus the conversation back to the issues if the employee brings up unrelated information or discusses the conduct of other employees.
- **If the employee brings up information regarding a serious health concern or a condition that may be covered under the ADA, refer the employee to the Benefits office and contact the Benefits office on your own to discuss the matter upon completion of the meeting.**
- If the employee gets angry or abusive, end the meeting and contact Employee Relations. If the employee becomes aggressive or discusses violence, contact Public Safety.
- If the employee has questions about the disciplinary process or filing a grievance, have him/her contact Employee Relations.
- If the employee refuses to sign a written warning or final written warning letter, explain that by signing the letter the employee is only agreeing that he/she understands the letter and have received a copy. If the employee still refuses to sign, write, "Refused to sign," next to the employee signature line.
- Make a copy of the signed letter (including witness signature when applicable) for the employee and give him/her the copy at the conclusion of the meeting.
- Send the original document to HR for placement in the personnel file.