

Template for Human Resources Policy

Category:	Management of Human Resources
Subject:	Corrective Action Process
Policy:	<p>[facility] believes that excellent patient care and a productive work environment require adherence to established policies, procedures, regulations, practices and high standards of job performance. Supervisors are responsible for identifying performance expectations, evaluating performance, coaching, training and problem-solving performance concerns with employees as appropriate. When performance does not meet expectations, supervisors may choose to use a progressive approach to corrective action. The goal of this approach is to improve the individual's performance and preserve him/her as an employee.</p> <p>[facility] recognizes that there may be situations that will not merit this progressive approach. All instances that require any type of corrective action should be reviewed on a case-by-case basis with Human Resources in order to determine the appropriate corrective action measure, if any.</p>
Considerations:	<p>1. Reporting: Employees are encouraged to voluntarily report errors and policy or procedure violations. Self-reporting will be taken into consideration when determining outcomes.</p> <p>2. Unusual or Severe Performance Problems: [facility] will determine what action or conduct will result in corrective action, including termination. Some situations, due to the nature and/or severity of the problem will dictate that the progressive approach is not appropriate. The following are examples of unacceptable conduct that may result in corrective action up to and including immediate discharge: theft, appearing at work under the influence of drugs or alcohol, use or sale of controlled substance on facility property, assault and/or battery while on duty, possession of a weapon on facility property, abuse or negligence in the care of a patient, failure to report a serious health hazard, tampering/falsifying patient records, time cards, application, health status forms or other records of an important nature, and any other actions or conduct that [facility] determines to be appropriate for corrective action up to, and including, termination.</p> <p>The examples cited above are for illustration only and shall not be considered as comprehensive or limiting [facility's] right to corrective action or discharge. Even in the situations discussed above, a supervisor may determine that an alternate corrective action approach such as an immediate written advisement or decision-making leave may be more appropriate than immediate termination. Any performance problem that may result in corrective action must be discussed with Human Resources.</p> <p>In all instances where an employee's conduct is of a criminal nature, [facility]</p>

will consider initiating criminal prosecution.

[facility] will report inappropriate conduct to regulatory agencies as required.

3. Situations Involving Health-related Performance Concerns: [facility] recognizes that there are situations when an employee's health may contribute to or cause poor performance, behavior, or attendance. If a health concern is known to exist, or suspected to exist, an effort should be made to assist the employee in finding the appropriate treatment and/or assistance.

When health results in decline of morale, frequent inability to report to work, decline in productivity, potential or real danger to patients, co-workers, or others, the performance issues will be addressed and discussed with the employee. Management will work with the employee to resolve the performance concern.

A health condition by itself does not merit counseling or corrective action. Employees are responsible for their health and resolving any health-related issue that affects their performance. Failure to resolve performance issues will result in corrective action.

In cases of known disabilities, consult with human resources.

4. PTO/Vacation Upon Discharge: If an employee is discharged from employment, s/he will receive 50% of PTO/Vacation time.

5. Removal of corrective Action from Personnel File: Corrective Actions are not removed from the personnel file.

Exception: Non-Contract:

Upon the employee's request, a corrective action may be removed from the employee's personnel file provided:

- (a) Three years has passed since the date the corrective action was issued;
- (b) There have been no related incidents as reflected in either a subsequent corrective action or performance review; and
- (c) The incident was not related to a violation of other policies such as: Violent/Harassment/Disruptive Behavior, EEO/Nondiscrimination policy or a HIPAA violation.

If you are represented by a Union, please refer to your Union Contract.

Procedure:	<p>In most situations, prior to and throughout the corrective action process, the supervisor must discuss with the employee (and document) the performance concerns and develop a plan for improvement. The corrective action process is as follows:</p> <ol style="list-style-type: none">1. Human Resources Review: The department manager and/or Human Resources should conduct and document a thorough investigation of all facts surrounding the behavior or incident. The documentation and all previous corrective action(s) will be reviewed by Human Resources prior to any action being taken.2. Content of a Corrective Action Document: All corrective action forms should document the following: a) a description of the nature of the problem, b) a summary of previous conversations, counseling or corrective actions, c) expectations for improvement and d) advisement that failure to improve performance may result in further corrective action up to, and including, termination of employment.3. Option to Sign: The employee will be given the option to sign the notice. (If they choose not to sign, that will be documented.) A copy of the corrective action will go to the employee, a copy will be retained by the supervisor, and the original will be sent to Human Resources for appropriate distribution.4. If the progressive approach is used, the process is as follows:<ol style="list-style-type: none">a. Verbal Advisement: If the progressive approach is used, this may be the first step in the process. A discussion is scheduled with the employee to discuss the problem and the steps to be taken to resolve it. The manager should tell the employee that the consequences of repeated infractions or continuing performance issues will be more severe. The content of this verbal advisement must be in writing and retained in the human resources employee file.b. Written Advisement: It may be appropriate to move to a written advisement if the employee fails to improve or if the nature of the offense warrants it. The supervisor will consult with Human Resources before any action is taken.c. Decision -Making Leave: It may be appropriate to move to a decision-making leave if an employee fails to improve after the prior advisement or if the conduct in question necessitates a more severe corrective action, in the corrective action process. The purpose of the decision making leave is to provide the employee time off to decide whether s/he will commit to satisfactory performance on the job or whether s/he prefers to resign employment.
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	<p>The supervisor will consult with Human Resources before any action is taken. The length and status of the decision making leave (with or without pay) will be determined in consultation with Human Resources. (Note: An unpaid Decision-Making Leave may be an option for exempt employees. You must consult with Human Resources to determine if it is an option.) Before the leave commences, a return to work date and time will be established.</p> <p>If the employee decides to return to work, it will be with the understanding that failure to meet the expectations will result in termination of employment.</p> <p>If the employee does not return to work it will be considered a voluntary resignation.</p> <p>d. Discharge: It may be appropriate to move to termination of employment if the employee fails to improve or if the nature of the offense warrants it.</p> <p>The supervisor will review the supporting documentation with Human Resources prior to taking action.</p> <p>In compliance with Minnesota law a copy of the discharge notice, which explains the truthful reason for termination will go to the employee within 5 days of the termination. If an employee is discharged from employment, s/he will receive 50% of available PTO/Vacation.</p> <p>The employee will receive his/her last paycheck on the next regular pay day unless otherwise requested by the employee.</p>
Internal Ref:	
Source:	
Approved by:	
Date Effective:	
Date Revised:	
Date Reviewed:	