Corrective Action

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<th>Section: Employee Relations</th>
<th>Policy Number: 702</th>
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<td>Responsible Office: HR/HR Services</td>
<td>Effective Date: 04/01/01</td>
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Scope
All regular full-time and part-time administrators and staff.

Policy
The purpose of this policy is to provide supervisors with flexible guidelines for addressing and resolving employee performance and behavior problems. **Disciplinary measures should be corrective and progressive in nature; however, serious misconduct, work performance problems, or violations of laws and/or university policies and procedures may warrant more immediate and severe discipline, including termination of employment.**

If an employee has an issue relating to his or her verbal or written warning or performance plan, the employee should discuss the problem with his or her supervisor. If the issue is not resolved, the employee should seek guidance from HR Services. Should the employee continue to feel that corrective action has been unduly applied, he or she may pursue resolution through the University’s Complaint Resolution mechanism (see policy #701). During the three-month Orientation Period, progressive discipline does not apply. In this situation, the guidelines provided in the Partnership for Performance program should be followed. See policy #201, Orientation Period, for more information.

Procedures
Supervisors should use informal remedial actions such as ongoing performance feedback, counseling, and training in their everyday management of employees, and to identify performance and/or behavior issues when they begin. Human Resources representatives are trained and available to provide supervisors with guidance on how to counsel and discipline employees.

When more formal measures become necessary, the University’s guidelines for corrective action are described below. Although they are intended to be progressive in nature, the appropriate discipline will depend on the severity of the behavior or performance problem and may include warnings, shift changes, suspension and discharge. Oral and written warnings may be repeated as appropriate under the circumstances.

**Verbal warning:** This form of corrective action is used to communicate clearly to an employee that a behavior or performance problem exists. The timeliness of the corrective action to the problem it addresses is very important. The supervisor should discuss the problem with the employee promptly and outline the steps necessary to resolve it. The employee should be given clear expectations and the consequences of non-compliance. The supervisor should document the nature of this initial discussion.

**Written warning:** If the problem continues, or the severity of the initial offense warrants, the supervisor should meet with the employee and issue a written warning.
The warning should describe the problem, the steps necessary to correct it or achieve satisfactory improvement, and a scheduled time for a follow up meeting. The warning should also indicate that unless the employee maintains a satisfactory level of improvement, further disciplinary action that could include termination of employment will occur. A space should be provided on the warning form for the employee to write any comments he or she may have.

HR Services and/or Employee Relations and Compliance, as appropriate, should review all written warnings prior to issuance. The employee and supervisor should sign and date the warning form. Each is given a copy of the written warning, and the original is forwarded to the Office of Human Resources for inclusion in the employee’s official personnel file. (Refer to policy #122 in the Employment section for policy and procedures regarding Personnel Records.)

The purpose of the employee’s signature is to acknowledge receipt of the written warning, and not necessarily agreement with its contents. If the employee refuses to sign the warning, a second supervisor should be asked to witness that the employee was presented with the written warning and refused to sign. The statement “employee refused to sign” should be documented on the form, followed by the witness’ signature and date.

Oral and written warnings may be repeated, as appropriate, under the circumstances.

**Suspension:** In general, suspension with or without pay may be used when the actions of an employee are being investigated. The employee is placed on suspension while the investigation is conducted. The outcome of the investigation determines whether the employee is reinstated (either with or without further disciplinary action) or is discharged. Suspension may also be an option for disciplinary action when an employee has committed a serious infraction.

The determination to suspend an employee shall be made by the supervisor and HR Services, and documentation of the reason for suspension, period of suspension, and whether it is with or without pay shall be included in the employee’s official personnel file. (See policy #122 in the Employment section for policy and procedures regarding Personnel Records.)

**Discharge:** Continuing or severe performance problems or serious misconduct may result in termination of employment. Reasons for discharging an employee may include, but are not limited to, misconduct, unsatisfactory work performance, absenteeism, insubordination, violations of University policy or rules, dishonesty, illegal acts, conflict of interest, or any act deemed inconsistent with the University’s mission. The decision to discharge an employee is a serious one and requires prior consultation with HR Services. For more information on separation from employment, refer to policy #125 in the Employment section.

The University retains the right to terminate employment at will, with or without cause or reason and with or without notice. For the University’s Employment at Will statement, see policy #101 in the Employment section. All terminations require prior consultation with HR Services (extension 6333 on the Queens campus).