**Progressive Discipline**

**Management Responsibilities:**

[ABC Company] reminds Managers that training, discussions and guidance generally are the first path to take when an employee may not be meeting performance or behavior requirements. Professional and ethical behavior is a basic requirement for being a part of the team at X Company, but employees must clearly be made aware of the expectations. Managers should communicate frequently, directly, and respectfully to help employees understand their responsibilities.

**Overview:**

Written warnings generally occur when employees have been reminded several times about a minor issue, such as tardiness; have been retrained on expectations; or have had at least one corrective verbal discussion – the level and frequency should be appropriate to the conduct.

Written warnings may also be used when the behavior is obviously out of alignment with company expectations. Managers should endeavor to ensure the employee is aware prior to documentation that the behavior was inappropriate (for example, not calling in or showing up for work for the day) and that further occurrences might result in discipline.

In most cases, the employee should be requested to respond to any accusations or concerns prior to a written warning, as a part of an overall investigation.

**Progressive Process:** Disciplinary action often (but not always) occurs in a progressive sequence:

* verbal warning (may be several, for separate or the same issue)
* written warning,
* final written warning, and
* discharge.

However, in certain cases it is not necessary for all four steps to be followed. Discipline may begin at any step depending on the seriousness of the offense. Also, offenses do not have to be of the same nature to constitute a violation serious enough to move on to the next step of the disciplinary action sequence.

Disciplinary actions generally (but not always) are active for one year from the date that the employee signs the corrective action. For serious offences, warnings may stand for the duration of an employee’s tenure with the company.

**Suspension**

Paid or unpaid suspensions will generally be required if an employee is under investigation for a serious matter (some examples would be violence, harassment or theft) to allow time for investigation and to protect team and company interests. Unpaid suspensions will be paid retroactively if no fault is found on the part of the employee. Exempt pay deduction regulations will be followed in this process.

**Escalating/Skipping Steps in the Process:**

In cases of more serious behaviors which the company does not deem rise to the level of termination, the written documentation could be elevated for instances of the same type to a final written warning, which might result in discharge if another incident were to occur even after the standard “active” time of one year.

**Immediate Termination:**

In cases where the behavior is discovered to be intentional or negligent and is repeated or egregious – particularly when in violation of important policies such as falsification of records; deliberate destruction of property; extreme unsafe work behaviors; certain violations of drug and alcohol policies; workplace violence, sexual harassment; theft or misappropriation of goods/funds; leaving work without notice; sleeping on the job or deliberate idling; discrimination or harassment; or other actions which cause harm to the company or its reputation (although this statement is not meant to be construed as limiting an employee’s right to take concerted activity), immediate termination will generally occur.

**General Management Procedures:**

* In each case of behavioral or performance deficiency, the circumstances of the case will be reviewed. The examples of offences given in this policy are samples only and management determines the offences which would constitute elevated warnings or terminations.
* If the facts available at the time indicate a serious enough violation of the rules of conduct to warrant immediate discharge, or if some immediate action is necessary, the employee should generally be suspended pending an investigation. If the facts substantiate a discharge, termination may occur at the conclusion of the investigation.
* Before any disciplinary action other than a verbal warning is taken, a review of the written warning generally will be undertaken by a representative of the Human Resources Department, and generally the employee should have provided a statement to the manager to explain their side of things. The supervisor must gather all of the facts relating to the matter prior to the review.
* In the case of a discharge, a written warning may be used to document termination, or, if that is not possible a written statement outlining in detail the reasons for disciplinary action or discharge should be placed in the employee’s personnel file. Care should be taken to avoid statements which could be construed as defamatory; the description should be based on facts, with signed statements from witnesses/other evidence if possible.

Reviewed for NC/SC law only.