CORRECTIVE ACTION:

A PRESENTATION FOR WMU FM MANAGERS AND SUPERVISORS

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AGENDA

1. Learn the details of corrective action process(es);

2. Provide a practical overview of alternative corrective action systems;

3. Review the components of a corrective action plan; &

4. Practice!
Disciplinary systems . . .
Disciplinary systems . . .

Meaning of “discipline”? 
Disciplinary systems . . .

Meaning of “discipline”?

From the route of the word “disciple”
Disciplinary systems . . .

Meaning of “discipline”?

From the route of the word “disciple”

“to teach”
Disciplinary systems . . .

- Training model
Disciplinary systems . . .

- Training model
- Consistency-No Discrimination
Disciplinary systems . . .

• Training model

• Consistency-No Discrimination

  -Arbitrator model – each case on its own merits
Disciplinary systems . . .

• Training model

• Consistency-No Discrimination

• Due Process
Disciplinary systems . . .

• Due Process

-” . . . notice and the right to a fair hearing before a tribunal with the power to decide . . . to be fair and reasonable in content . . .”¹

¹ Black’s Law Dictionary
Disciplinary systems . . .

“Where does your (supervisor/manager) ‘anger’ fit into this?”
Tip from the HR guy . . .

1. Get rid of your anger . . .
A change in behavior . . .

Doing things we do not wish them to do; or

Not doing things we would like them to do . . .
A change in behavior . . .

Punishment vs Reward
<table>
<thead>
<tr>
<th>Punishment</th>
<th>Reward</th>
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<tr>
<td>+</td>
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<td>-</td>
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<tr>
<td>Punishment</td>
<td>Reward</td>
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<td>---------------------</td>
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<tr>
<td>+ pain</td>
<td>give something</td>
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<tr>
<td>- eliminate pain</td>
<td>take it away</td>
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<tr>
<td>Punishment</td>
<td>Reward</td>
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<td>+</td>
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</tr>
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<td>-</td>
<td>eliminate pain</td>
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(Timing is everything!)
Tip from the HR guy . . .

1. Get rid of your anger . . .
2. Provide your corrective action response ASAP . . .
Anybody here enjoy the discipline process . . . either giving or receiving?
Anybody here enjoy the discipline process . . . either giving or receiving?

**We would rather avoid . . .**

- Small problems get bigger
- Inconsistency – appearance of inequity
- Lack of accountability
- No documentation
- Avoiding conflict can cost more than just tackling it
• I don’t want to hurt the employee’s feelings;

• Maybe if I’m patient, the employee will figure it out without me getting involved; (peer pressure!)

• No matter what I do, the employee is going to get defensive and argue with me;

• You can’t fire anybody around here anyway!
DOCUMENTING DISCIPLINE

F   Facts to define the problem

O   Objectives that explain to the employee how to resolve the problem

S   Solutions that can help the employee reach the objectives

A   Actions you will take if the problem is not corrected

+   Plus your overall efforts to help the employee succeed

\(^1\text{(Deblieux, 1997)}\)
Facts to define the problem

Facts include the five W’s . . .

1) What happened
2) When it happened
3) Where it happened
4) Who was involved
5) Why it happened
Facts to define the problem

“Your report was late. It was the worst report I’ve read in years. It left out all the important information. There was no way I could release it to the VP of Business and Finance.”
Facts to define the problem

“Your report was late. It was the worst report I’ve read in years. It left out all the important information. There was no way I could release it to the VP of Business and Finance.”

“The report was due January 11. On January 10, you assured me you were almost done writing it. I received your report on January 14. When I asked you why it was late, you told me, ‘deadlines are so artificial – what’s a day here or there?’

When I read the report, I found a lot of missing detail. The pages were numbered 1, 2, 3, 7, 9 and 12. The report did not have your projects summary for the month that our VP of Business and Finance requires for all managers. It also did not include a monthly labor hours summary. My December 12 memo to you states, ‘the most critical part of your monthly report is the labor hours summary.’"
Objectives that explain to the employee how to resolve the problem

Performance Objectives

Give the employee a specific behavior pattern to follow, OR

Set a specific result for the employee to achieve

For example:

• I want you to be here a half hour before the start of your employees’ shift . . . (specific behavior).

• You must have your monthly labor hours report on my desk by noon of the fifth of each month . . . or by the Friday before, if the fifth is a Saturday or Sunday . . . (specific result)
Incorrect: “Do a better job with people we serve next time.”

Correct: “Greet each individual with a smile. Always start the conversation by saying, ‘Good morning (afternoon, evening).’ My name is ___________. How may I help you?”

Incorrect: “Don’t come to another meeting unprepared.”

Correct: “You must prepare for meetings. That means reading the materials that are given to you before the meeting, making notes on them, and writing out your questions or ideas for discussion. If you are making a presentation, you must prepare handouts to help participants follow you.”
Solutions that can help the employee reach the objectives

“Solutions are options – Unlike objectives, it’s not absolutely required. It’s simply a suggestion of a way the employee could meet or exceed you objective.”
**Solutions you offer do not have to be elaborate or complicated . . .**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Documentation</th>
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<tbody>
<tr>
<td>Coaching</td>
<td>I will work with you on the next project to help you learn the correct process.</td>
</tr>
<tr>
<td>Training</td>
<td>We can work with HR to see what course might be available.</td>
</tr>
<tr>
<td>Resource person</td>
<td>If you have specific questions, Steve said he be willing to help.</td>
</tr>
<tr>
<td>Materials</td>
<td>I’m sending you a link to OIT’s on-line course for spreadsheets.</td>
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</table>
Solutions can be options - not absolutes

“I have a couple of books in my office about that type of equipment - you’re welcome to use them if you think that might help.”

“That service is covered for no charge by our Employee Assistance Program – if you’re comfortable with them, it would be less expensive than using your insurance and going to an outside provider.”

“I’m not usually around during that shift, but I’m more than willing to come in and help, if that works for you.”
Actions you will take if the problem is not corrected

Document the action you are taking/intend to take if the employee does not meet your objectives:

1) The specific action you are taking now (for example, an oral warning or a written warning).

2) The action you will take if the employee’s behavior falls short of your objectives.
**A**  
Actions you will take if the problem is not corrected

<table>
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<tr>
<td>Training</td>
<td>I will follow-up next week to see if you’re applying the information from the materials I gave you.</td>
</tr>
<tr>
<td>Counseling</td>
<td>I will meeting with you in 30 days to see if your attendance has improved.</td>
</tr>
<tr>
<td>Written Warning</td>
<td>I am giving you a written warning to be placed in your personnel file. If you do not meet the objectives I have outlined, you will be subject to further disciplinary action, up to and including discharge.</td>
</tr>
<tr>
<td>Issue</td>
<td>Documentation</td>
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</tr>
<tr>
<td>Last-step option</td>
<td>You will be suspended for three days without pay beginning Tuesday, May 12\textsuperscript{th}. If you do not meet the objectives I have outlined above, you will be subject to further disciplinary action, up to and including termination.</td>
</tr>
<tr>
<td>Termination</td>
<td>Effective with this notice, you are terminated from your employment with WMU.</td>
</tr>
</tbody>
</table>
Why document . . .

Reinforce the corrective action step &
Why document . . .

Reinforce the corrective action step &

Strengthen case for 3rd party review
Tip from the HR guy . . .

1. Get rid of your anger . . .
2. Provide your corrective action response ASAP . . .
3. Does your corrective action response stand a 3rd-party test?
Why document . . .

Reinforce the corrective action step &

Strengthen case for 3rd party review

Becomes part of the personnel file
Why document . . .

Becomes part of the personnel file

What is the “personnel file”? 
Why document . . .

**personnel file** - “Personnel record” means a record kept by the employer that identifies the employee, to the extent that the record is used or has been used, or may affect or be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation, or disciplinary action. A personnel record shall include a record in the possession of a person, corporation, partnership, or other association who has a contractual agreement with the employer to keep or supply a personnel record as provided in this subdivision.¹

¹ BULLARD-PLAWECKI EMPLOYEE RIGHT TO KNOW ACT Act 397 of 1978
Why document . . .

personnel file –

But what about “desk files”??
Traditional Corrective Action/Discipline Steps:

• Verbal Warnings
• Documented Verbal Warnings
• Written Reprimands
• Suspensions (with or without pay)**
• Termination
Language from the WMU HR Employee Handbook

(Employee Conduct & Disciplinary Action)

“Disciplinary action for the same or different offenses shall progress in the following manner:

Verbal Warning—Verbal statement to employee that he/she has violated a rule and/or regulation and that such violation may not continue.

Written Reprimand—Formal notification in writing to employee that he/she has violated a rule and/or regulation.

Suspension—Loss of work and wages for a specific number of hours or days, but not for more than one (1) work week, depending on the severity of the offense. Notice of suspension is provided to the employee in writing.

Discharge—The employer/employee relationship is severed”

http://www.wmich.edu/hr/handbook/10-discipline.html#Policy
Corrective Action (Discipline) Format
Scenario A:

“Employee #1 has received a documented verbal warning in the past 45 days for unscheduled use of annual leave. Last week she/he was absent 2 days without advanced notice.”
Scenario B:

“Employee #2 has been reprimanded for verbally abusing three co-workers on as many occasions. These outbursts are becoming more like ‘physical threats’ with each occurrence.”
Scenario C:

“Employee #3 has failed to produce a required monthly report for the last three months. After the second failure, the manager issued a 2nd written reprimand. (A written reprimand was on record in the last six months for continued abuse of annual leave.)”
Progressive Counseling-Based Corrective Action

“A coaching session is a serious and planned discussion between manager and an employee about the need to correct a problem and improve performance. It has specific goals and follows a definite structure. Unlike impulsive or spontaneous casual discussions about problems, a coaching session always involves careful planning in advance.”¹

¹(Grote, 1995)
Progressive Counseling System:

1) Each step is a planned counseling session with a complete FOSA communication, including documentation;

2) The first step is with the immediate supervisor;

3) The second step is with the supervisor and her/his supervisor;

4) Subsequent steps are held by a progression in management (can be inclusive of HR);

5) Decision-making leaves as “final warnings” are appropriate.
Tip from the HR guy . . .

1. Get rid of your anger . . .
2. Provide your corrective action response ASAP . . .
3. Does your corrective action response stand a 3rd-party test?
4. When in doubt, get a quick check from HR or the General Counsel’s office.
References
