

## **CORRECTIVE/DISCIPLINARY ACTION (NON-REPRESENTED)**

This policy applies to all non-Washington Management Service, non-exempt employees of the Washington School for the Deaf.

### **Corrective/disciplinary action**

WSD believes that our employees' performance and behavior contribute to the success of the agency. Sometimes a clear process is needed to help employees understand and meet performance and behavior expectations in their job and to ensure that a safe work environment exists for all employees. If a performance or behavior problem exists, WSD will use a progressive approach from discussion to strict discipline to try to help the employee meet WSD's expectations.

### **Basic performance and behavior expectations**

WSD employees are expected to be productive, cooperative, and ethical.

### **Corrective action**

Corrective action is a series of steps taken to encourage an employee to correct an issue that may contribute to poor performance or behavior in the work place. Examples of corrective action include, but are not limited to:

- Repeated coaching from a supervisor on a specific issue or set of issues.
- One or more oral and/or written reprimands.
- Tools provided for correction of an issue, such as a referral to the Employee Assistance Program, or specific classroom or one-on-one training that might assist an employee in overcoming a performance/behavior issue.
- A monitoring period may be established including timelines required for employee correction in order to avoid further disciplinary action.
- Deferred periodic increment raise.

### **Disciplinary action**

Disciplinary action is more punitive in nature than corrective action. If corrective action has been taken and an employee is still unable to improve work performance and behaviors, disciplinary action may follow in a number of different forms. Examples of disciplinary action include, but are not limited to:

- Suspension from work
- Demotion
  
- Permanent or temporary reduction in salary
- Dismissal

### **“Just cause” and how does it fit into the corrective/disciplinary process**

“Just cause” is a phrase that commonly refers to the reasons an employer may take

corrective or disciplinary action against the employee. The following nine questions will be considered in determining what course of corrective/disciplinary action is appropriate (or “just”) in cases of poor performance or behavior.

- Has the employee violated a known reasonable rule or policy?
- Has the employee received adequate opportunity to correct behavior?
- Is there a precedent set within the agency in dealing with other similarly situated employees?
- Is the employer at fault for contributing to the employee’s poor performance or behavior?
- If an investigation is necessary, is being handled fairly?
- Is the employee aware of/and exercising the benefits of their procedural protections?
- What punishment would fit the crime?
- Are there relevant mitigating circumstances?
- What is the employee’s previous record?

***When can an employee be subjected to corrective action discipline?***

Behavior or performance issues that will cause corrective or disciplinary action include:

- Repeated poor performance
- Failure to meet WSD core competencies and/or job specific competencies
- Abuse of state resource or time
- Failure to adhere to WSD policies and rules
- Any behavior that threatens employee safety and security or compromises security of information processed and guarded by the agency
- Unethical behavior while serving as a representative of WSD

**Behaviors that will cause an employee to be immediately dismissed**

Violence in the work place, violation of our Drug-free workplace policy, proven theft, and gross insubordination will not be tolerated by any employee.

If an employee is suspected (but has not been proven) of committing any of the above behaviors, the employee may be placed on administrative leave pending an investigation.

***Is the agency required to follow every step of the corrective/disciplinary action process before initiating disciplinary measures?***

No. Some steps may not apply to all situations. For example, depending on the severity or the impacts of an employee’s poor performance some issues justify immediate disciplinary action without first taking corrective action.

The Superintendent may also approve working outside of this policy at any time.

***If an employee is under corrective action for one issue, and a new issue is added, does the manager or supervisor have to start at the first step of the process for the new issue?***

No. If the new issue is a result or side effect of a current case, a manager or supervisor

may amend the oral or written reprimand or other disciplinary documentation to include the new issue and pursue the same course of corrective action.

***After an employee successfully resolves an issue, will any new issues be handled from the start of the process?***

Yes. Your manager or supervisor will take corrective or disciplinary action based on the new issue. However, if an employee's records begin to show a pattern of poor performance, the manager or supervisor will need to address the pattern as an issue in itself.

***Can an employee challenge a disciplinary action brought against them?***

Employees do have the right to present reasons they believe disciplinary action should not be taken against them. The following avenues are available to do so:

- Loudermill process – when an employee is involved in corrective or disciplinary action, the employee has rights to clarify the causes of such action and to offer his/her own side of the story. This process will be administered by the Human Resource (HR) Office.
- Agreement with supervisor that if no further action is required during a certain period of time, all record of adverse action will be removed from the employee's personnel file.

***What other terms and definitions should I know to understand this policy?***

Definitions can be found in Chapter 357-01 of the Washington Administrative Codes (WAC).

***What WACs impact this policy?***

357-40-010 (disciplinary action authority)	357-40-015 (corrective policy authority)
357-40-020 (notification for demotion)	357-40-025 (notification content)
357-40-030 (notification timelines)	357-40-035 (suspension notification)
357-40-045 (suspension limitations)	

**Adopted: July 25, 2008**