

# Disciplinary Action, Suspension, Termination: Union Employees



## Purpose

To set standards for disciplinary action, suspension, and termination for union employees.

## Policy

1. All union employees will follow the rules of the Collective Bargaining Agreement. HELP supervisors must consult with the Director of Human Resources on cases that warrant disciplinary action.
2. When a supervisor feels an employee's performance or attendance is unsatisfactory, disciplinary action may be warranted. Disciplinary action may include, but is not limited to verbal or written warning regarding unsatisfactory performance or attendance, placement on probation, suspension, and other disciplinary action up to and including termination.
3. Supervisors must meet with the employee, raise the issues which appear to be affecting job performance, have an open and constructive discussion about the issues, and following the meeting prepare a memo clarifying the issues and behavioral changes sought.
4. Supervisors must document the unsatisfactory performance or incident by completing the EMPLOYEE PERFORMANCE PROBLEM RECORD form (see Exhibit I). If the supervisor feels further disciplinary action (e.g. probation, suspension, termination) is required he/she should contact the Human Resources Department.
5. Union employees may request that a union representative or other union member be present during any disciplinary meeting.

The following Disciplinary Action Policy and Procedures are recommended for cases where personnel action is warranted.

## Procedures

When a supervisor feels an employee's performance or attendance is unsatisfactory, disciplinary action may be warranted. Disciplinary action can include, but is not limited to, verbal or written warning, suspension, and other disciplinary action up to and including termination. It is H.E.L.P.'s policy to follow a progressive disciplinary procedure in an attempt to correct the employee's deficiencies. The discipline may follow the sequence of warning, probation, suspension and ultimately discharge. However, there may be times when immediate termination is warranted. The Executive Director and/or department head

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must contact Human Resources and the VP responsible for the function to discuss the performance issue.

## Warning

When an employee's performance is not satisfactory, is behaving inappropriately, or is having attendance problems, the manager may follow the performance warning guidelines stated below:

1. Managers should discuss the problems with the employee and identify the specific below standard performance or attendance issue, then identify the minimum standards of acceptable performance or attendance.
2. Next, the manager or supervisor should document any brief or "casual" performance discussions held with the employee by completing an EMPLOYEE PROBLEM RECORD form. This form will help the supervisor by providing a history of his/her attempts to assist the employee with performance problem prior to sending a written warning or probationary memo. The EMPLOYEE PERFORMANCE PROBLEM RECORD should not be distributed to the employee.
3. If the performance/behavior/attendance issues do not improve after the initial meeting, the manager will then discuss the problems in detail with the employee and review the job elements or duties to be improved. The manager should specify the minimum performance standards required for the employee to perform at a satisfactory level. In addition, The manager must include an appropriate time frame for improvement of the infraction. The discussion should be documented by the manager in writing and placed in his/her confidential files, with a copy going to the Director of Human Resources. Documentation should include a completed EMPLOYEE WARNING REPORT (see Exhibit II) or a written memo to the employee notifying him/her of the problem (see Exhibit III).
4. The manager should inform his/her department head and/or Executive Director of the employee's performance/behavior/attendance issues and the steps taken to correct the problem.
5. The manager may provide any additional training that may be required to assist the employee in improving his/her performance results.
6. Regularly scheduled follow-up meetings may be conducted with the employee for a mutually understood period of time (usually one to four weeks).
7. The manager determines if the problem is resolved satisfactorily over the specified time period. The results of the manager's evaluation must be shared with the employee. If the results are satisfactory, the manager states this in writing with a copy to the employee and to Human Resources.

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8. For a new employee (less than 90 days of employment), if no improvement occurs as a result of the above steps, the employee can be terminated.
9. For an employee with more than 90 days of employment, if no improvement occurs as a result of the above steps, the employee is placed on final warning.

## Suspension

There may be cases where a suspension is warranted pending an investigation. The following people must be notified prior to the supervisor or manager suspending the employee. Once the responsible Vice President and the Director of Human Resources approve the suspension, the manager should inform the employee of the suspension. The manager should also ask Safety off the premises.

### Notice of Suspension

- Director notifies by telephone:
- Responsible VP
- VP of Human Resources
- Executive Director
- Business Manger

Once approval is given for suspension, the Director must immediately submit written notice of suspension to:

- Responsible VP
- VP of Human Resources
- Executive Director
- Business Manger
- Suspended Employee

VP of Human Resources fax written notice of action (suspension/termination to:

- Local 74 (Union) within 48 hours

Once the investigation is completed, the supervisor or manager will inform the employee of the decision. If management decides that the employee may return to work from the suspension, the employee will be notified. In cases where management has decided to terminate the employee, he/she will be notified by telephone and in writing within one week of the decision. He/She will also have an opportunity to request a grievance meeting with their union representative, their supervisor, the responsible Vice President and the Director of Human Resources, should he/she disagree with the decision.

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## Termination for Unsatisfactory Performance

- A formal probation period in writing is not required during the first 90 days of employment.
- The manager alerts the responsible VP and the Human Resources Director of the intent to terminate the employee.
- The manager must then send a fax copy of the request to terminate the employee to Human Resources as well as a draft of the memo that the manager will give to the employee outlining the reason for termination.
- Once the manager has received the approval from Human Resources Director, he/she must meet with the employee to review the continued performance problems and give the employee the written reason for termination, and terminate the employee.