

SDCRAA HUMAN RESOURCES STANDARDS AND PROCEDURES

Section:	Provisions for At-Will (Exempt/Non-Exempt/Unclassified) Employees Only
Standard:	CORRECTIVE ACTION
Section #:	J-4
Effective:	September 3, 2008

See Also:	Work Hours; Employee Assistance Program; Involuntary Terminations; Serious Misconduct; Performance Planning and Evaluation
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GENERAL STANDARD

All employees are required to achieve performance expectations, follow the spirit and intent of the Authority's values in conduct and behavior, and adhere to the Authority's guidelines, policies, codes, and rules and regulations of the Authority. The use of corrective action is within the sole discretion of the Authority and in no way alters the At-Will employment relationship between an employee and the Authority. This Standard does not require the Authority to utilize any type of corrective action prior to terminating an At-Will employee, nor does it require the Authority to provide advance notice or have cause to terminate an employee. The employment of an At-Will employee may be terminated at any time, with or without notice or cause by either the employee or the Authority.

SPECIFIC STANDARDS

- ❑ For At-Will employees, the Authority has established a system of corrective action that may include oral and/or written warnings prior to termination of employment. However, this system is not formal and the Authority may, in its sole discretion, utilize whatever form of corrective action or discipline it deems appropriate under the circumstances, up to and including immediate termination of employment.

- ❑ The Authority's system of corrective action in no way limits or alters the Authority's At-will employment relationship. The Authority is under no obligation to use the corrective action system before terminating an employee.

- ❑ All warnings shall be reviewed and discussed with the employee. A copy of any written warning shall be provided to the employee with a copy filed in the employee's personnel file.
- ❑ Generally, the period during which improvement must be demonstrated shall not exceed 90 days. If a longer period is required, the manager should contact a representative of the Human Resources Department.

GUIDELINES

- ❑ A representative from the Human Resources Department shall provide the manager with advice and guidance at all stages of the corrective action process.
- ❑ The goal of corrective action is to support the employee and to encourage the employee to perform or conduct him/herself at a level that meets performance expectations. When the employee's performance improves, the manager should acknowledge that improvement.
- ❑ The manager shall keep a record of discussions held with and warnings given to employees which are corrective in nature and which may lead to formal corrective action. These records are used for reference purposes should formal corrective action become advisable.
- ❑ If personal problems are affecting the performance or conduct of an employee, the manager should consider suggesting to the employee the availability of the Employee Assistance Program. (See *Employee Assistance Program*.)

PROCEDURES

- ❑ When the manager becomes aware of any performance or conduct deficiencies, s/he should discuss the specific concerns with the employee. The employee should be provided an opportunity to explain him/herself before a final decision on corrective action is made. Should corrective action be appropriate, the manager should indicate at least:

- What action is expected of the employee;
 - The time period in which improvement is expected; and
 - How performance or changes will be measured.
- ❑ If improvement does not occur within the specified time period established by the manager, formal corrective action generally occurs. The manager shall prepare a memorandum for formal corrective action which includes/describes:
- The specific performance concerns, referencing any verbal warnings or prior discussions;
 - What action is expected of the employee;
 - The time period in which improvement or further improvement is expected;
 - How performance or change will be measured; and
 - What action will be taken if improvement does not occur, including the possibility of termination of employment.

This document must be reviewed with a representative of the Human Resources Department prior to issuance.

- ❑ The employee shall sign the warning memorandum to acknowledge receipt and be provided a copy of the memorandum. If the employee refuses to sign, this should be noted and indicated by the manager on the memo. A copy of the memorandum shall be sent to the Human Resources Department to be included in the employee's personnel file.
- ❑ Should an employee go on approved leave while working under a corrective action warning plan that has a specified time frame for improvement, upon the employee's return to work, the manager shall prepare a memorandum adjusting the time by which improvement is expected. The date by which improvement must occur should be

extended by at least the length of time the employee was on leave. A copy of the memorandum shall be sent to the Human Resources Department for inclusion in the employee's personnel file.

- ❑ If, despite performance coaching by their manager or others and the use of corrective action, an employee's performance conduct and/or behavior continue below expected levels, the manager may consider termination and must consult with a Human Resources Department representative. (Refer to the ***Involuntary Terminations*** Standard for information and procedures for terminating an employee.)