



# Employee Relations

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Human Resources Director, North  
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## Meet our team for this HR Teleclass: Employee Relations

### Your host



**Francine Dillard**  
Director of Learning  
and Development

### Your SME



**Valerie Searcy-Cox**  
Human Resource  
Director, North

### Your producer



**Rhett Davis**  
PLAD LMS  
Administrator



# Welcome!



HR Professional with over 20+ years of Human Resources experience in various fields including Non-for-Profit; Academia, Professional Services and Manufacturing. Valerie has a Master's degree in Human Resources from Loyola University in Chicago. Valerie has held the Society of Human Resources Management (SHRM) Senior Professional Certification since February, 2016. Valerie has been the HR Director for Pathway's Northern Region since December, 2016.

**Valerie Searcy-Cox**  
**Human Resources Director, North**

## Agenda

- Principles of disciplinary action
- When and how to discipline
- The five W's of documentation
- Our progressive disciplinary process
- Administrative leave
- Developing a disciplinary action document
- Conducting effective disciplinary meetings





# Employee Relations

The purpose of employee relations is to strengthen the employer-employee relationship through identifying and resolving workplace issues, measuring employee satisfaction and morale, and providing support and input to our performance management system.



## Importance of Employee Relations

Having good employee relations is crucial to every company, as when employees and managers share a positive relationship, employee engagement, productivity, motivation and morale are high.

Employees who get along with their manager and enjoy rather than feel anxious about going to work in the morning have a better overall work experience. Happy employees work harder, produce better work, and ultimately keep the customer happy and our business thriving.



## Poll Question



**The purpose of disciplinary action is to punish employees for violating company policies ?**

- A. True
- B. False

Please select the appropriate response and click Submit.

## The purpose of disciplinary action

*The purpose of disciplinary action is to turn performance, attendance and behavior problems around by identify problems and solutions. The goal is to accomplish this in a positive and constructive way, to send a message that you are not out to punish, but to help the employee become a more productive member of the team.*

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**DISCIPLINARY  
ACTION**

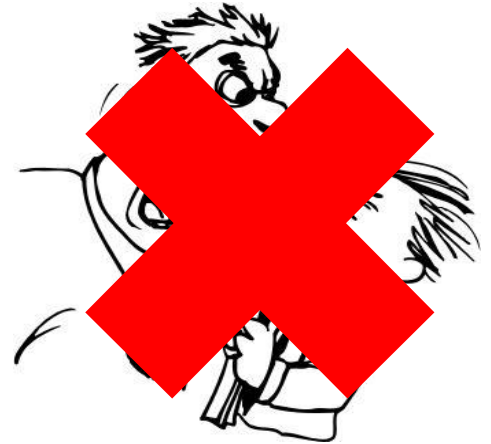


# Principles of disciplinary action

- Make sure discipline is the appropriate tool. Consider coaching or performance appraisal as a first step whenever possible.
- Be honest, frank, fair and precise regarding your reasons for dissatisfaction and your future expectations for the employee.
- Maintain a professional manner by keeping the disciplinary process confidential between you and the employee and, when necessary, with HR.
- Keep your criticism free of nonwork-related matters and be as unemotional as possible.
- Provide specific examples of performance discrepancies or work rule violations so the employee fully understands what needs improvement.
- Allow the employee time to respond.
- Help the employee improve performance by providing specific recommendations and requirements.
- Communicate clearly so the employee understands the consequences if performance or conduct does not improve.

# Common mistakes made when disciplining employees

- Ignoring unacceptable behavior in hopes that it will correct itself or the employee will eventually leave
- Saving up a laundry list of occurrences in hope that, when added together, they will justify a bigger penalty or more severe disciplinary action
- Applying rules or discipline inconsistently
- Approaching disciplinary process in an aggressive manner



# When and how to discipline employees

## When

- There are recurring issues such as absenteeism or tardiness
- They have continuing problems adhering to or following management instructions despite additional training, coaching or counseling
- As close to the time that the infraction occurred, as possible but not in the heat of the moment

## How

- Confer with HR for its recommendations on how to proceed
- Investigate each incident regardless of how it first appears
- Select an appropriate time and place to meet privately with the employee
- Allow the employee to explain his or her understanding of the incident
- Present the disciplinary action in a calm manner

## Do Not

- Base disciplinary actions on rumors
- Discuss an employee's performance or conduct issues with the employee's co-workers
- Discipline employees in:
  - Public places
  - The presence of others
  - The heat of the moment
- Yell, scream or use derogatory language

## The Five W's of Documentation

### Who

- Who was or is involved?
  - What is the person's position within the company?
- Who has first-hand knowledge?
  - Are there known or potential witnesses?

### What

- Describe the incident or recurring issue
- Describe the specific behavior or actions
- Use verbs
- Do not add your comments, insights or interpretations

### Where

- Describe the location of the incident
  - Was it at the workplace or on workplace property?
  - Was it in the presence of a client/consumer?

### When

- Did the incident occur during
  - Regular work hours
  - Off-duty time

### Why

- Do not guess or speculate
- Investigate and gather information
- Include knowledge or information to support your findings/conclusions
- Allow employees to present their version of events/infraction

## Discussion Question



**What are the steps of our progressive disciplinary process?**



*Use your questions panel to type in your answer*



# Our Progressive Disciplinary Process

- 1) Verbal warning
- 2) Written Warning
- 3) Final warning or performance improvement plan
- 4) Termination



# STEP 1 - Progressive Disciplinary Process

## Verbal Warning

The first step of progressive discipline. A verbal counseling is intended to be used by a supervisor to notify an employee that an improvement is needed in the employee's work performance and/or behavior.

This step is generally used for minor issues (e.g., not calling the supervisor as required if the employee is arriving late to work).

1

## STEP 2 - Progressive Disciplinary Process

### Written Warning

The second step of progressive discipline. A written warning provides notice to an employee regarding continued work performance issues and/or inappropriate workplace behavior that have not been resolved after giving the employee a verbal counseling (e.g. you have given an employee a verbal counseling about not calling when he/she will be arriving late to work and the employee has not taken corrective action to resolve the issue).

# 2





# STEP 3 - Progressive Disciplinary Process

## Final Warning or Performance Improvement Plan (PIP)

A final Warning or a PIP is the third step of progressive discipline. A PIP is a formal written plan used by the supervisor as a final attempt to resolve a serious issue that has not been addressed by the employee after a verbal warning(s) and/or a written warning(s) have been given.

The PIP is given for a specified time period, usually 30, 60 or 90 days. Managers should use work with HR to decide the length of a PIP.

# 3

# STEP 4 - Progressive Disciplinary Process

## Termination

Although termination is not the goal of disciplinary action; it is the last step of progressive discipline after an employee has failed to meet the requirements of a PIP, failed to adhere to the final warning or a serious incident has occurred during the PIP period.

Termination of employment can also occur when an employee, who is not on a PIP, is involved in a serious offense that warrants immediate termination (for example, an employee is caught abusing a client or stealing in the workplace).

# 4

## Progressive discipline benefits to Pathways

Gives the us the opportunity to proceed gradually and allow time (in most cases) to work with the employee and try to correct behavior and improve job performance before having to resort to termination

Gives us assurance that it has made reasonable effort to obtain the employee's best performance

Gives us with a written record that will be useful in heading off or defending any arbitration or lawsuit that might result from disciplinary action including separation of employment





## Administrative Leave

- Paid administrative leave will be provided when an investigation regarding an employee's conduct is in question or under suspicion. This allows the employee to be removed from the work site in order for HR, Compliance or Investigative committees to conduct a thorough investigation.
- During an administrative leave-employees email access should be deactivated.
- All communication with Clients and Consumers should be denied.
- Supervisors should not require employees to complete work during this administrative leave.
- HR should always be involved in any disciplinary actions including placing employees on administrative leave.

## Discussion Question



This employee is continually late for work. You spoke to this employee about the problem two weeks ago and it still continues. This time, the employee was 15 minutes late for work on Monday, 20 minutes late returning from lunch on Tuesday and today (Friday) was 30 minutes late to work.

The only thing that has changed since the previous discussion are the excuses.

**As the supervisor how should you handle this?**



*Use your questions panel to type in your answer*

# Developing the Disciplinary Action Document

## Include

- Place document on Pathways letterhead or include Pathways logo on document
- Date at the top of the letter/memo
- A statement that a copy will be placed in the employee's personnel file
- The employee's full name (avoid using nicknames)

## Start with

- An opening statement about the purpose of the documentation
- Proceed with statements describing and defining the infraction and supporting information.
- Be sure to include dates and specific examples
- Do not include the names of witnesses or complaining parties

## Continue by

- Stating and describing the disciplinary action you are recommending
- Stating and describing reasons why you are recommending the disciplinary action
- Referencing the organization's personnel policies, handbook or code of conduct

## Developing the Disciplinary Action Document Continued

### Don't forget to

- Include a statement about the employee's rights
- Share the employee's version of events and place a copy in the employee's personnel file if he or she chooses to share their version

### In addition

- State the facts and provide details of the infraction in language that the employee understands while referencing the specific sections of the organization's policy, procedure, handbook or code of conduct
- State the circumstances so a "reasonable person" would conclude that the disciplinary action being recommended or taken is appropriate
- Describe previous and/or related infractions and disciplinary action

### Conclude by

- Reminding the employee that another incident may result in additional discipline
- Reminding the employee that correcting his or her behavior is expected and that correction needs to be sustained over time
- Including a statement that the employee has a right to present the employee's version of events to you within a certain time frame

## Poll Question



**If an employee refuses to sign the disciplinary notice, the document is invalid and the suggested discipline can't be enacted?**

- A. True
- B. False

Please select the appropriate response and click Submit.





## This statement should be added to the bottom of your disciplinary documents:

**Note to employee:** Your refusal to sign this document does not negate the document's contents. This document is effective immediately, regardless of your signature on this document. You are encouraged to fully comply.





# Sample Written Warning Document

## WRITTEN WARNING

**TO:**  
**FROM:**  
**DATE:**  
**SUBJECT:**

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**Cc:** Human Resources, Personnel File

---

This memorandum is to address **insert the topic here** in violation of the Employee Standards of Conduct and Standards of Work Performance. This is a written warning that will be placed in your personnel file.

**Provide details of the specific action/behavior/situation here.**

**Briefly discuss the policy violations here.**

**Expectations going forward/Action Plan here.**

**Timeframe for follow up here.**

**Any other comments or details necessary here.**

You are highly encouraged to consistently follow all policies and procedures. Please be advised, failure to fully comply with any Camelot Care Centers policies and procedures, could result in further disciplinary action up to an including termination of your employment.

## RECEIVED, REVIEWED, AND UNDERSTOOD:

---

Employee Signature

Date

**Note to employee:** Your refusal to sign this document does not negate the document's contents. This document is effective immediately, regardless of your signature on this document. You are encouraged to fully comply.

---

End of document ■

# Sample Final Written Warning Document

## FINAL WRITTEN WARNING

**TO:** John B. Little  
**FROM:** Mary Supervisor, Regional Director  
**DATE:** Wednesday, August 07, 2019  
**SUBJECT:** Final Warning – Workplace Harassment  
**Cc:** Human Resources, Personnel File

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This memorandum is to address Acts of Misconduct in violation of the Employee Standards of Conduct and Standards of Work Performance. Specifically, violation of the Workplace Harassment policy. This is a final written warning that will be placed in your personnel file.

It has been brought to my attention that you have been harassing women within the office. This includes making sexual advances and creating an offensive work environment. These actions include derogatory or suggestive comments, unwelcome flirtations, and verbal comments about an individual's body. This has made some women in the office uncomfortable.

Sexual harassment has been covered in Relias training, your training was completed on **insert date**. In addition you were provided the Workplace Harassment policy via the Employee Handbook, your signed acknowledgement of the Handbook was completed on **insert date**.

Our company has a zero tolerance for harassment. Any form of harassment, sexual or not, overt or subtle, directed at persons served, supervisee, supervisors, colleagues, community representative of the Company, is form of employee misconduct that is demeaning to another person. Sexual harassment is strictly prohibited. Additionally, the company has a zero tolerance for retaliation of any kind.

You are encouraged to implement the following plan in order to continue successfully in your employment with Family Preservation Services.

1. Stop the behavior immediately.
2. Reread the Workplace Harassment policy within the handbook by August 11, 2017.
3. Resign the employment acknowledgment form for the handbook by August 11, 2017.

4. Complete Sexual Harassment training in Relias by August 11, 2017.
5. Submit a copy of the certification of completion of the Sexual Harassment training by August 11, 2017.

You are highly encouraged to consistently follow all policies and procedures. Please be advised, failure to fully comply with any Family Preservation Services policies and procedures, could result in further disciplinary action up to and including termination of your employment.

### RECEIVED, REVIEWED, AND UNDERSTOOD:

---

Employee Signature

Date

**Note to employee:** Your refusal to sign this document does not negate the document's contents. This document is effective immediately, regardless of your signature on this document. You are encouraged to fully comply.

---

End of document ■

## Employee Relations Case Study



You are a supervisor whose office is adjacent to the Employee lounge area. Through your open office door you have heard several employees discussing their coworker, Tom over a two week period. The conversations center around Tom's continual sexually explicit conversations that he has within the work environment often in front of the consumers/clients. You have heard a couple of employees say that they just ignore his flirtation comments and direct requests for sexual favors. No one has come to you directly to complain.

**What should your course of action be?**



*Use your questions panel to type in your answer*

# Conducting effective disciplinary meetings

## Before the meeting:

- Review the employee's personnel file
- Consider the seriousness of the policy violation or performance problem, as well as the employee's past record
- Identify any mitigating circumstances (personal issues, circumstances outside the employee's control)
- Determine the best form of disciplinary action and ensure choice is consistent with discipline used for similar infractions
- Meet privately with the employee promptly after the offense or at the first signs of a performance problem



# Conducting effective disciplinary meetings

## During the meeting:

- Keep the emphasis on correction, not punishment
- Be calm and objective...do not argue, get angry, lecture, or interrogate...you set the tone!
- Focus on the employee's behavior or performance rather than personality issues
- Listen and don't pass judgment as there might be a reasonable explanation for the problem (lack of training, inadequate understanding).



## Key Points to Remember

- Be sure to follow the principles of discipline including being honest, frank, fair and precise regarding your reasons for dissatisfaction, your future expectations for the employee, and providing the employee with an opportunity to respond.
- It is important to consider how and when to discipline. Use the five Ws of documentation (*who*, *what*, *where*, *when* and *why*) to document disciplinary actions.
- After the verbal warnings, Human Resources should be reviewing your disciplinary documentation. Please work with your HR Generalist.





## Questions



*Use your questions pane to type in your questions*







# HR Resources To Support You!

## Human Resources Generalists

Chante Smith [Chante.Smith@pathways.com](mailto:Chante.Smith@pathways.com) DC, DE, GA, LA & Corp  
Christina Barton [Christina.Barton@pathways.com](mailto:Christina.Barton@pathways.com) CBH and PCS (PA)  
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## Human Resources Business Partners

Candice Ray [Candice.Ray@pathways.com](mailto:Candice.Ray@pathways.com) NC & VA  
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## Human Resources Directors

Lisa Mitchell [Lisa.Mitchell@pathways.com](mailto:Lisa.Mitchell@pathways.com) GA, LA, NC, TN, VA, DE, DC & Corp,  
Trang Massie [Trang.Massie@pathways.com](mailto:Trang.Massie@pathways.com) AZ, CA, OR, CO, ID, NV, WA, & IN  
Valerie Searcy-Cox [Valerie.Searcy-Cox@pathways.com](mailto:Valerie.Searcy-Cox@pathways.com) ME, IL, & PA

## VP and National Human Resources Leader

Denise Carpenter [Denise.Carpenter@pathways.com](mailto:Denise.Carpenter@pathways.com)



## Our Next Session – Five Elements of Building Culture

**Course Title:** VRT HR Series: Five Elements of Building Culture

**Course Description:** How do we build organizational culture? Our culture is what we do and say, the way we behave, the way we treat each other, our services, our clients, our community and ourselves. In essence, it's the “personality of the company. We'll present the formula for successfully building a culture of engagement and how it's applicable to the building of an organization's overall culture.

**Session Faculty:** Candice Ray, HR Business Partner

- **Session Date:** September 19<sup>th</sup>, 2019
- **Session Time:** 2:00pm EST / 1:00pm CST / 12:00pm MST / 11:00am PST
- **Course Duration/Credit Hours:** 1 Hour



**Thank You!**

