

**POLICY****Corrective Action****EFFECTIVE**

January 31, 2021

PURPOSE

Corrective action is used to address employee behavior and performance concerns, encourage employees to become more successful and to adapt to organizational standards and expectations.

All employees, regardless of employment status, are governed by an at-will employment relationship. Employment may be terminated at any time, by either party and for any reason.

SCOPE

This policy applies to all employees. Employees in their initial review/probationary period may not receive all steps of progressive discipline. Individuals holding a title of manager and above are held to a higher standard and any performance and behavior concerns will be addressed at the discretion of the organization.

POLICY

This policy provides guidelines to management in applying consistent and impartial corrective action to employees who fail to meet the standards of their position. This may include standards for attendance, job performance, behavioral standards/codes of conduct or other expectations of the department or organization.

RESPONSIBILITY

- A.** Employees are expected to be aware of and abide by existing policies and departmental guidelines. It is also the responsibility of employees to perform their duties to the standards set forth in their job descriptions or as otherwise established. Employees are encouraged to request additional instruction or assistance when needed.
- B.** It is the responsibility of Management to strive to provide fair and consistent treatment of employees under the provisions of this policy.
- C.** It is the responsibility of Human Resources to oversee the administration of this policy.

PROCEDURE

Management is encouraged to address conduct and/or performance issues with employees as they arise on an informal basis in an attempt to identify training needs and correct unsatisfactory behavior before corrective action is necessary.



Prior to an employee receiving a formal corrective action, management must evaluate the performance, behavior and violation on a case-by-case basis to determine the appropriateness of corrective action. The specifics of the offense and the employee's work history will be considered when determining the appropriate level of corrective action.

A. Informal Corrective Action

1. Coaching

Management may coach an employee for behavior or performance concerns that have not yet risen to the level of corrective action. Management should maintain documentation of any coaching sessions. Coaching is not considered a formal corrective action.

2. Performance Improvement Plan (PIP)

Management may implement a performance improvement plan, which is not considered a formal corrective action. The status of the PIP will last for a predetermined amount of time, not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements specified by the supervisor and the organization. If the established goals of the PIP are not met during this time period, continued poor performance or repeated conduct issues, may lead to a formal corrective action, up to and including termination of employment. All PIPs must be discussed and reviewed with Human Resources before they are issued to an employee.

B. Formal Corrective Action

In most cases the corrective action process will follow the steps outlined below; however, depending on the seriousness of the offense and other individual circumstances, some offenses may warrant skipping steps in the process. Some offenses may be considered sufficiently egregious in nature as to subject the employee to immediate termination from employment.

The standard progression of corrective action is as follows:

1. First Written Warning
2. Second Written Warning
3. Final Written Warning
4. Termination of Employment

When corrective action is warranted, management must seek prior approval from the HR Business Partner in order to ensure consistency.

There should not be excessive time lapse between the offense and the subsequent delivery of the corrective action. Management should issue the corrective action to the employee within a reasonable time frame. What is a "reasonable" amount of time will vary depending on the circumstances; however, generally, it is the amount of time that allows for the manager to fully investigate the conduct and confer with Human Resources.



Should there be a serious infraction by an employee when the Human Resources department is not open and management is of the opinion that the employee should not continue to work as a result of the infraction, the employee may be placed on administrative leave (See Section D, below). A review of the facts must be conducted at the earliest date possible when the Human Resources department is open.

Once issued, the corrective action should be sent to HRConnections/Human Resources to be processed and kept in the employee's personnel file for future reference.

C. Duration

For the purposes of progressive corrective action, a corrective action will remain active for a period of 12 months following the date it was issued. Corrective action always remains a part of the individual's personnel file. Even after 12 months have elapsed, conduct or performance problems that led to expired corrective action may still be considered when determining the appropriate level of subsequent corrective action.

D. Administrative Leave

An employee may be placed on an administrative leave for suspected misconduct that requires an investigation. Management must consult with Human Resources before placing an employee on administrative leave pending investigation. Whether administrative leave is paid or unpaid is determined on a case-by-case basis.

E. Egregious Behaviors

The following is a non-exhaustive list of offenses that may result in immediate termination of employment:

1. Falsification of application, personnel, medical or other official records; the omission of pertinent facts, or giving false statements.
2. The possession or consumption of alcohol, other illegal or prohibited substances (including the illegal use of prescription medication) on hospital premises, or reporting to work under the influence of such substances or testing positive.
3. Failure to adhere to mandatory requirements to complete and/or obtain mandatory annual training, flu vaccination, or licensure/certification.
4. Willful damage to hospital, patient, visitor, or another employee's property or equipment.
5. Removal of hospital property, records, employee lists, private data or any confidential information from the hospital without written authorization, or divulging any confidential information to other than proper authorities.
6. Unauthorized review of clinical data of family members, co-workers, friends, etc., for which the employee does not have a "need to know" to perform assigned job duties.
7. Possession of firearms or weapons on hospital premises without written permission from appropriate officials.



8. Permit another person to use identification card (badge) or use of another's identification card for timekeeping or any other purpose.
9. Committing acts of violence, fighting, brawling, threatening, intimidating, coercing or injuring another. Improper, immoral or unreasonable standard of decency or morality, verbal or written use of obscene or abusive language to fellow employees, visitors or patients.
10. Gambling, lottery, or any other game of chance on premises, or the possession of gambling devices on premises.
11. Soliciting of patients, or visitors for any reason, or accepting tips from employees, visitors, and patients. Please refer to Human Resources Policy, Solicitation and Distribution for rules regarding the solicitation of employees.
12. Deletion or reduction in the established rates or charges for a patient, without authorization from an appropriate official.
13. Unauthorized absences such as job abandonment, no-call/no-show, or unavailable while on call. Refer to HR Policy, Standards of Attendance without notification for two or more workdays in succession.
14. Abuse, use of disrespectful language, or other inappropriate conduct toward an employee, visitor, or patient. The term "patient" shall include any individual seeking care and treatment.
15. Negligent or intentional conduct that endangers the health of an employee, visitor, or patient.
16. Illegal harassment or discrimination of any form.
17. Failure to maintain confidentiality of Protected Health Information.
18. Insubordination, a willful failure to obey a supervisor or an employer's lawful directive.
19. Theft of hospital, patient, vendor, volunteer, visitor, or co-workers' property.
20. Sleeping or giving the appearance of sleeping while on duty.
21. Failure to disclose a criminal conviction.
22. Criminal convictions occurring on or off the job that are related to job qualifications, or are of such a nature or severity that continued employment is not in the best interest of the organization.
23. Failure to comply with the requirements of the corporate compliance policies.
24. Failure to conduct self appropriately in other critical instances.



FAQ

Corrective Action

Q What does corrective action mean?

A The UMMS Corrective Action policy defines expectations for behavior and performance and transparently outlines how outliers will be handled. The policy is intended to help employees understand and adapt to organizational standards so they can be successful.

Q What behaviors and performance are included in UMMS' Corrective Action Policy?

A The policy provides guidance to managers for handling matters like attendance, job performance, behavioral standards/codes of conduct, and other organizational and departmental expectations.

Q What responsibilities do employees have with regard to this policy?

A Employees are expected to be aware of and follow existing policies and departmental guidelines. Employees also have the responsibility to perform their duties to the standards set forth in their job descriptions or as otherwise established.

Q What are the corrective action steps?

A Your manager will evaluate performance, behavior and violation on a case-by-case basis. The specifics of the offense and the employee's work history will be considered when determining whether to take Informal or Formal corrective action.

Q What is the difference between an Informal Corrective Action and a Formal Corrective Action?

A A manager may choose informal or formal corrective action steps, depending on the nature of the situation. An Informal Correction Action may include coaching, additional training or a Performance Improvement Plan (PIP). If you are placed on a PIP, you must demonstrate a willingness and ability to meet and maintain the conduct outlined in the plan within a 90-day period. A Formal Corrective Action will typically follow a progression:

1. First Written Warning
2. Second Written Warning
3. Final Written Warning
4. Termination of Employment



Q How long is a corrective action?

A A Formal Corrective Action will remain active for 12 months following the date issued. Any corrective action, both Informal and Formal, always remains a part of the individual's personnel file. Even after 12 months have elapsed, conduct or performance problems that led to expired corrective action may still be considered when determining the appropriate level of subsequent corrective action.

Q Does UMMS ever place employees on leave?

A Yes. An employee may be placed on an administrative leave for suspected misconduct that requires an investigation. Whether leave is paid or unpaid is determined on a case-by-case basis.

Q Do I have the ability to dispute a corrective action?

A Follow the appeal policy at your local facility or reach out to your Human Resources department for more information.