

Adopted 9/85

Revised 12/94

4/04

8/04

Subject: PERSONNEL POLICY #13
STANDARDS OF CONDUCT
PERFORMANCE IMPROVEMENT PROCESS

Choices In Community Living adopted the following progressive disciplinary procedure to ensure fairness and consistency in its administration when responding to employees' violations of rules or policies or serious performance issues. The agency maintains this as corrective action rather than punitive. Before the agency will terminate the employment of an individual, it will ensure that the following procedure was administered, except in cases of gross misconduct, which may result in immediate termination. The agency reserves the right to enter into any level of progressive disciplinary action based on the severity of the offense and employees' past work records.

Step 1 - Verbal Warning

Supervisors will discuss performance issues with employees and cite the following:

- Behavior and/or performance problem
- Behavior and/or performance expectation, as indicated by the appropriate policy or procedure
- Time frame and conditions for change if other than immediate
- Expected outcome if change doesn't occur (written warning in most instances)

Supervisors will maintain records of verbal warnings, whether capturing the "verbal" conversation in email or a "written" verbal to be signed by the employee. Documentation will include the date and a brief summary of the content mentioned above with the employee's response.

Step 2 - Written Warning

If an employee's behavior/performance problems does not improve or cease following the verbal warning within the time frame and conditions established, supervisors will complete a Written Corrective Action form and review it with their supervisors and the human resources director before presenting it to the employee. The written warning will inform employees that termination may result if they fail to change the inappropriate or unacceptable behaviors or performance.

Depending on the severity or number of occurrences, a second written warning may or may not be appropriate. Supervisors will discuss the contents of the Written Corrective Action form with the employee and allow the employee to respond, either verbally or in writing. Supervisors will request the signatures of employees on the form and give one copy to the employee, maintain one copy and submit the original to human resources.

Step 3 – Termination

If an employee's behavior/performance problems does not improve or cease following the written corrective action(s) within the time frame and conditions established, supervisors complete a Disciplinary Action form for termination and review it with their supervisors and the human resources director before meeting with the employee. Supervisors will not present Written Corrective Action forms to employees for termination, as they are for documentation purposes only.

Supervisors will enact terminations of employees under the direction of the human resources director. The agency will make reasonable effort to enact terminations face to face, privately with only another member of management present and outside of client residences.

In addressing a behavior or performance issue, supervisors will administer steps one, two and three consecutively within a one year period. If there is a lapse of one year between steps, the supervisor will repeat the last step administered to initiate progressive discipline. If there is a lapse of two years between steps, supervisors must begin with step one to initiate progressive discipline.

Suspension

Choices In Community Living may suspend employees without pay pending an investigation of alleged misconduct. If investigations prove no misconduct, the agency will compensate employees for their regularly scheduled hours ^{2 wk/maximum} during the suspension. The agency allows employees to use paid time off, if available and with the approval of the human resources director. However, if employees elect to use paid time off, the agency will not compensate them for that time if no misconduct is proven during the investigation. If misconduct is proven during an investigation, the agency will administer disciplinary action or termination as appropriate to the degree of misconduct.

Behaviors or performance usually associated with immediate termination are but not to limited to the following:

1. Theft, deception or dishonesty
2. Use, possession, sale or attempted sale of alcohol, drugs or other controlled substances
3. Use of abusive behavior and/or language with clients, co-workers, supervisors, family, guardians and others associated with the agency
4. Fighting with physical contact
5. Sexual misconduct or harassment
6. Neglectful or deliberate acts that could lead to or actually cause personal injury or property damage
7. Possession of weapons or firearms
8. Falsification, omission or misrepresentation of employment or academic history, felony conviction records, alcohol or drug abuse not otherwise volunteered in the interview process but discovered during post employment investigations.
9. Deliberately falsifying a time sheet or completing the time sheet of another employee
10. Attempted or accomplished defrauding of the agency by the alteration or clients falsification of records and/or reports, financial misrepresentation or other means.
11. Insubordination -- Refusal to comply with supervisor's instructions
12. Gambling, solicitation or "loan sharking"
13. Obtaining a fraudulent Workers' Compensation award
14. Sleeping on the job except as part of a routine 24-hour shift
15. Abuse and/or neglect of client(s)