

# Great Rivers Behavioral Health Administrative Services Organization

Policy Title:	<b>Corrective Employment Action</b>	Policy No. <b>9014.00</b>
Category:	Employment Policy Manual	Date Adopted: 04/09/2021 Date Reviewed:
Reference:		

## Purpose & Scope:

- 1.1. The purpose of this policy is to provide guidelines for corrective action to address employee job performance or work conduct which is unacceptable or unsatisfactory. This policy applies to all regular employees. Great Rivers BH-ASO employees are considered "at-will" employees who serve at the discretion of the CED and may be disciplined, terminated, or reassigned at any time without cause or notice.

## General Provisions:

- 2.1. Whenever appropriate, Great Rivers BH-ASO managers may apply, at their discretion, any of the following corrective action options, including but not limited to: coaching/counseling, documented oral warning, written warning, suspension, demotion, or termination. The level of corrective action will depend on the facts and circumstances of the case and the employee record.
- 2.1.1. Coaching and Counseling: Coaching and counseling consists of informal discussion to identify deficiencies so the employee can make the necessary improvement steps in order to meet and sustain compliance or expectations. This option is usually oral in nature, yet the supervisor may document the discussion in an informal format in order to ensure adequate understanding of the issues and expectations. This action will not be filed or recorded in the employee's official personnel file; the supervisor will maintain a documentation of it in the supervisory file.
- 2.1.2. Oral Warning: In the event of more serious issues, warranting a higher level of discipline, or reoccurrences or ongoing concerns, the supervisor may provide an oral warning. The difference between an oral warning and coaching/counseling is that this level will include a warning to the employee that:
- 2.1.2.1. Specific deficiencies must be corrected, or inappropriate behavior has occurred.
- 2.1.2.2. If failure to comply/meet and sustain expectations, or additional workplace concerns arise, further corrective action may result up to and including termination.
- 2.1.2.3. This action will not be filed or recorded in their official personnel file and that their supervisor will maintain documentation of it in the supervisory file.
- 2.1.3. Written Warning: This is a formally documented action that will be filed in the employee's personnel file. It may be used when less formal measures have not corrected a problem or as a first step when the misconduct or performance deficiencies warrant a higher level of corrective action. It is intended to raise the level of seriousness and awareness and will include a description of the issue(s), the expectations, and that if failure to comply/meet and sustain expectations or if additional workplace concerns arise, that further corrective action will result up to and including termination.
- 2.1.4. Suspension: This is a formally documented action that will be filed in the employee's personnel file. This is an involuntary period of leave without pay imposed when

unacceptable performance or conduct continues or reoccurs despite prior corrective action. A suspension may also be utilized without prior corrective action if the severity of the issue or misconduct is such that it warrants a high level of discipline short of termination. It is intended to raise the level of seriousness and awareness, and it will include a description of the issue(s), the expectations, and that if failure to comply/meet and sustain expectations or additional workplace concerns arise, that further corrective action will result, making it evident that employment status is in jeopardy.

- 2.1.5. Termination: This action may be taken when other forms of corrective action have not resulted in meeting expectations or the seriousness of the issues or misconduct is such that it warrants the most severe form of employment action. Great Rivers BH-ASO management may terminate employees based on unsatisfactory job performance, misconduct, or for any other reason warranting termination at the CED's discretion.
- 2.2. Other options may be utilized as alternatives or in combination with any corrective actions listed above. These alternatives may include but are not limited to the following: performance appraisals, training, transfers or demotions, referral to the Employee Assistance Program, "last-chance" agreements, paid or unpaid administrative leave, work plans, and/or performance improvement plans.
- 2.2.1. No particular type, sequence, or progression of corrective action is required or promised. Each case will be assessed and decided at Great Rivers BH-ASO's discretion based on the merits and circumstances of the case, the individual employee's record, as well as any information Great Rivers BH-ASO deems relevant.
  - 2.2.2. Great Rivers BH-ASO reserves the right to terminate an employee's employment immediately in cases of serious misconduct or serious or willful violations of policies or employment standards or for any other reason Great Rivers BH-ASO determines, at its discretion, to warrant immediate termination.
  - 2.2.3. Corrective actions for regular employees who have passed their probationary period that involve employment impacting action (suspension, demotion or transfer, termination, etc.) will involve Great Rivers BH-ASO conducting a fact-gathering investigation or meeting(s) before a corrective or employment action is taken unless doing so is impractical or unwarranted under the circumstances. Whenever Great Rivers BH-ASO is considering employment impacting actions such as suspension, demotions or transfers, and termination, the supervisor will meet with the employee and provide the employee with a "Notice of Potential Corrective Employment Action". This notice outlines the issues and the supporting information and indicates the level of corrective or employment action that is being considered. It provides the employee time to review the document and affords the employee an opportunity to respond to management's specific concerns and to provide any information they wish to have considered prior to a decision being made. The corrective and/or employment action will be in a formal written notice ("Notice of Corrective Employment Action") and will be maintained in the employee's personnel file. Furthermore, an employee may elect to include a response to the action, which will be reviewed and followed up as needed. The response will be attached and filed with the Notice of Corrective Employment Action.
  - 2.2.4. In cases where Great Rivers BH-ASO determines that an employee should be removed from the workplace pending the conclusion of a fact-gathering investigation and the corrective action decision, the employee may be placed on paid administrative leave.
  - 2.2.5. Probationary Employees. The first six (6) months of employment with Great Rivers BH-ASO is considered the employee's probationary period. Although Supervisors are encouraged to counsel probationary employees if performance or conduct problems occur, Great Rivers BH-ASO may terminate probationary employees (with or without prior counseling or warnings) for any lawful reason and without advance notice.
  - 2.2.6. Temporary and Project Employees. Individuals hired by the Great Rivers BH-ASO into temporary/seasonal or project positions are employed for a limited time or for as long "as needed" basis. A supervisor may terminate the services of these individuals for any lawful reason without prior corrective action or advance notice.

2.2.7. An employee may appeal corrective or employment action by utilizing the Complaint Resolution Policy and process.

**Meetings That May Result in Corrective/Employment Action:**

- 3.1. At the discretion of the supervisor/manager, Great Rivers BH-ASO employees that asked to attend a fact-gathering meeting or a corrective action meeting may request the presence or attendance of another Great Rivers BH-ASO staff member for support, as a witness of the process, or to take notes for the employee. If another employee is permitted to attend it will be subject to the guidelines stipulated by the supervisor, the manager, or the staff member leading the meeting. Permission to attend such meetings by other Great Rivers BH-ASO staff will be granted provided the individual is available and not otherwise involved in the matter.
- 3.2. An employee's attorney, or an employee's advisor who is not a Great Rivers BH-ASO staff member, may not participate in Great Rivers BH-ASO fact-gathering, investigation meetings, or corrective-action meetings.
- 3.3. Unauthorized Recordings. Employees may not use tape recorders or other electronic devices to record or transmit any meeting/conversation with other employees or representatives of Great Rivers BH-ASO involving Great Rivers BH-ASO business or employment-related matters unless all participants at the meeting/conversation are specifically informed and have given consent to the recording. The recording should document the request to record and the agreement by each party.

**Records:**

- 4.1. All written corrective action taken at the level of a written warning or higher should be included in the employee's personnel file. If the employee provides a written response, it will be attached and filed with the action document. Other written materials and information used and considered during the fact-gathering process leading to and in support of the corrective action will be retained by the supervisor, HR, or the investigator's working files.
- 4.2. Employees may request, or management may initiate, the removal of a corrective action from the personnel file no earlier than two (2) years after the corrective action takes place, provided the problem has been fully corrected and there have been no new or additional concerns during that period. Retention of corrective action documents, even after removal from the employee's personnel file, will be in compliance with Great Rivers BH-ASO's own records retention and public records management policies. The removal of a discipline document from the personnel file is subject to the manager/supervisor's recommendation after consulting with HR, and the CED's approval.
- 4.3. Nothing in this section should imply that a corrective action document removed from the personnel file should not be used as a basis for further disciplinary or other actions. However, where there is a recurrence of the same or closely related discipline problem, prior written corrective action, and the length of any period of improvement may be relevant in addressing a recurring problem.

POLICY SIGNATURE

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 Vickie Raines, Chair  
 Great Rivers Governing Board

4/9/2021

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 Date