



Managing Disciplinary Issues

Learning Outcomes

By the end of this unit the learner will be able to:

- ✓ Describe how to deal with disciplinary issues.

Managing Disciplinary Issues

Discipline is concerned with maintaining appropriate conduct. Traditional disciplinary usually involves a penalty against an employee who fails to meet established standards. Effective and fair disciplinary action addresses wrongful behavior, not the employee as a person.

While workplaces will have their own disciplinary rules in place, they generally follow the four steps outlined below.

The Four-Step Disciplinary System

Step One

A meeting, sometimes called an interview, is held during which the problem behavior is discussed and the employee is counseled. There are no threats or warnings prior to or during the meeting. The supervisor's role includes getting a commitment to behave or perform as requested. The supervisor keeps note of the meeting in their records.

Step Two

If the substandard behavior is repeated, the supervisor counsels the employee again. This time a memo summarizing the conversation and the employee's commitment to changed behavior is placed in the employee's personnel file. (At this point, the counseling may or may not require a witness. Check with your HR department.)

Step Three

On the third repetition, the employee is directed to take one to four days leave with or without pay (depending on the rules established at your workplace and any collective agreement in place). This is not a holiday; the individual will be given a series of questions to answer on return to work. Depending on the situation, the questions can be quite pointed, such as, "Do you realize the next infraction will mean immediate dismissal?" On return from leave, the employee is counseled again, this time almost certainly in the presence of an employer and an employee representative. The employee's decision to change behavior is documented and placed on file. The employee and/or the witnesses sign the document.

Step Four

If there is yet another break of this same rule, there is no alternative but to terminate the employee, but this drastic action will be based on decisions made by the employee. (Depending on your workplace, this process may be completed a few more times before you can terminate the employee without repercussions. Make sure that you know the rules and limits of your own authority.)

Summary

This entire procedure has been based on the premise that management does not control behavior. It is the employee's responsibility to behave according to established work rules and procedures. Discipline without a punishment system takes the intense emotional aspect away from management/employee interaction. The concept also places responsibility for behavior on the employee, conveying the message, "In this firm we hire adults; we expect them to behave as adults."

A Discipline Checklist for a Supervisor

- Proof rule was posted prior to incident
- Proof employee was aware of rule prior to incident
- Proof rule was consistently enforced
- Proof rule(s) given to union, if applicable
- Item(s) involved retained for evidence (if applicable)
- Signed and dated witness statements retained for file (if applicable)
- Documents, policies, and reports retained for file (if applicable)
- Police and medical reports retained for file (if applicable)
- Legal statutes reviewed and complied with (if applicable)
- Proof alternatives were offered to employee (if applicable)
- Proof employee's explanation or request was given reasonable consideration and recorded (if applicable)
- Proof of time, date, and location of incident are accurately recorded
- Proof of work average re: attendance or lates (if applicable)
- Proof all events, observations, and actual statements are accurately recorded
- Proof employee given instruction or training (if applicable)
- Proof employee and/or union received all relevant correspondence
- Proof proper investigation was finalized
- Proof all personnel file requirements have been met
- Proof of previous discipline record and previous discussions with employee have been finalized and recorded (if applicable)
- Proof collective agreement clauses relating to union representation and timelines have been met
- Proof second management opinion obtained (if applicable)
- Proof all evidence double-checked for accuracy
- Proof decision finalized as quickly as possible

Terminating Employees

Letting Staff Go

Termination (firing or dismissing an employee) is the most severe penalty that management can impose and should therefore be the most carefully considered. The termination experience is traumatic for the

employee, leading to feelings of failure, fear, disappointment, and, inevitably, anger. The work that you have done leading up to the termination meeting, however, makes it less of a surprise to the employee.

Firing is also difficult for the person who makes the decision. The realization that termination may affect not only the employee but often an entire family can add to the trauma. Not knowing how the terminated employee will react may also create considerable anxiety for the manager who must do the firing. The impact on the remaining team members must be also considered.

There is a distinct psychology, therefore, that surrounds termination. The fired employee may experience a series of emotions in quick succession: initial shock (even if he or she knew or suspected), anger, the feeling that there must have been a mistake, possible identity collapse, and/or ego disintegration. Then wild swings in mood may follow, perhaps culminating in depression. The restoration in self-confidence can take some time.

Concurrently, the manager may experience feelings of self-pity (Why me?), followed by guilt (Could I have done better for this person?), and compassion (How will the employee survive?). There may be a desire to retain the employee, or, conversely, a tendency to blame the employee for "doing this" to the manager.

In some cases, though, firing can be a relief. The employee who is struggling to perform at a job that they are unable (or unwilling to do), their repeated poor performance, the impact that they are having on their colleagues and clients, can mean that the firing itself is also a relief.

The Termination Meeting

The manager must prepare for the termination interview in order to remain in complete control. The termination interview should always be conducted before a witness (usually a member of the human resources team) and in an environment where the manager has a psychological advantage (for example, the company boardroom). Some managers avoid using their offices for this purpose, as they do not want employees to associate routine calls to the office with the possibility of dismissal. The environment should be calm, formal, polite, and unemotional. The meeting should be short, without a repeat of all prior offenses required. No matter what the fired employee says or does, the manager must keep control over his or her emotions. The employee should be told of the decision and the documented reasons. An official letter of termination should be ready. It should be made clear that the decision is final. There should be no debate.

Exit Interviews

Whether an employee resigns, is terminated, or is laid off, there should always be an exit interview. The exit interview gives your company the opportunity to learn from past factors that resulted in the loss of an employee.

An exit interview can be as simple as a questionnaire that an employee fills out or it can be a formal interview. (Sometimes, if an employee has been terminated, it may be useful to give them the

questionnaire to take home, and then set up a follow up interview a week later. This gives them time to cool off and think about their reaction.)

Regardless of the method you choose, let the employee know that their feedback is valuable and will be considered, if not acted upon.

Test Your Knowledge

Date:

Department:

Name:

Job:

Do you feel you made satisfactory progress with this company?

Was your compensation satisfactory? Why or why not?

When you first started with this company, did you receive adequate orientation to the organization?

Are you leaving to accept another job?

What will be your responsibilities?

Why have you chosen to accept this position?

How would you rate your supervisor's leadership skills in the following areas?

How would you rate your supervisor's communication skills in the following areas?

If you had the opportunity to come back to work here, what improvements would you suggest?

Other Comments

Eligible for rehire? Yes/No

Exit Interviewer: _____

Test Your Knowledge

Personal Action Plan

I am already doing these things well:

I want to improve these areas:

I have these resources to help me:

As a result of what I have learned in this workshop, I am going to...	My target date is...	I will know I have succeeded when...	I will follow up with myself on...