THE
CORRECTIVE ACTION
PROCESS

A Guide for Vice Presidents, Directors, Managers and Supervisors to assist them when administering corrective action at Wheeling Jesuit University
Corrective Action

There are levels of corrective action at WJU, non-disciplinary and disciplinary, based upon different standards of performance. This procedure is based upon the Corrective Action policy.

I. DEFINITIONS

1. Corrective Action – remedial actions undertaken by the University in an effort to modify the performance or behavior of an employee when such performance or behavior violates the University’s policies or procedures or the employee is not fulfilling the functions of the position.

2. Minor Misconduct – Actions which violate the University’s policies and work standards, the byproducts of which are limited in both scope and magnitude and are possibly correctable.

3. Major Misconduct – Violations of the University’s policies and work standards that are repetitive, flagrant or willful; such violations are substantial in scope and magnitude and possibly hazardous to individuals or costly to University operations.

4. PERFORMANCE IMPROVEMENT PLAN (P.I.P.) - An outline specifying performance issues, corrective actions and measurable expectations; may include training and development to assist the employee.

5. DIRECTIVES – Brief memos issued to employees noting one, specific, item of non-conformance that must be rectified. The memo highlights the non-conforming issue and the date it must be corrected.

6. Official Documentation – used to document interaction with an employee; must be signed or initialed by the employee to acknowledge receipt. Only official documents can be placed in the personnel file.

7. Unofficial Documentation – used to document an employee’s counseling sessions or verbal discussions and support a subsequent PIP or discipline, at which time they may become part of the official file.

II. NON-DISCIPLINARY CORRECTIVE ACTION

1. Employees who are having issues with their job performance, for whatever reason, fall under this category. Such actions must be documented as follows:

   a. Counseling. This verbal session should be documented subsequent to the actual meeting noting the event, the issues discussed and the date of the meeting. The note should be retained in the supervisor’s satellite file as unofficial documentation.

   b. The supervisor issues a memo to the individual citing the specific deficiency or behavior and noting that it must be corrected. These memos are referred to as DIRECTIVES and this terminology should be noted in the “Subject” line of the written memo. The Directive should also note either the date of a scheduled meeting to discuss the issue or refer to the date a meeting was held. The employee must initial and date the Directive, acknowledging receipt, and the supervisor should forward to Human Resources for inclusion in the employee’s personnel file.

   d. Ongoing or repetitive non-disciplinary corrective actions may become disciplinary when the employee refuses to change or acknowledge the issue. Consequently, there is a transition between the two.
III. **DISCIPLINARY CORRECTIVE ACTION**

1. An employee who violates a University policy, procedure, standard, expectation, or any other common workplace customs or courtesies may be subjected to disciplinary corrective action, the severity of which will be based upon the level of violation and the employee’s prior record, up to and including possible termination.

2. Violations: There are two (2) levels:
   a. The following violations may be considered Minor Misconduct: Infractions of any University rules, policies or procedures, deficiencies in meeting work standards / expectations /performance, being out of the assigned work area without authorization, unintentional minor damage to University property or equipment, absenteeism and tardiness.
   b. The following violations may be considered Major Misconduct: Insubordination, illegal activities, falsification of University records, violations of information “confidentiality” provisions, violations of the Drug and Alcohol policy, violations of the Harassment policy, reporting to work under the influence of, using or distributing drugs or alcohol while at work or on University property, actions which jeopardize the health or safety of the campus community (verbal or physical assault or battery, sexual violence, weapons on campus, arson, failure to comply with safe work procedures), sleeping on the job, poor work performance, major or intentional damage to University property or equipment, willfully limiting work, repetitive absenteeism or tardiness, failure to report off work or leaving work without authorization.
   c. The above are intended to be a sampling of the violations that may occur and are not intended to be all inclusive. The University will issue discipline as it deems appropriate for violations not recorded herein but consistent with the philosophy of the policies and procedures governing the University.

3. Prior Record Evaluation: Whenever discipline is to be issued, the Human Resource Department, in conjunction with the immediate supervisor, will evaluate the employee’s disciplinary record.
   a. Incidents of the same type, unless egregious, will continue in a progressive manner, the most common example being attendance. Employees who routinely miss days in excess of University policies will be issued progressive discipline beginning with a counseling session and working up through the steps identified below to termination.
   b. Incidents of varying type will be evaluated independently; discipline for unrelated incidents may be progressive, repetitive or terminal depending upon the nature or severity of the offense, similarity to prior offenses and number of prior disciplinary actions. Incidents of this type will be evaluated independently and on a case by case basis.
   c. The University generally evaluates an employee’s file over a twelve (12) month period; however, there is no guarantee that pervasive incidents over a period of years will receive repetitive discipline. For repeat occurrences, the University may elect to evaluate the employee’s record in its entirety.

4. Progression: Employee disciplinary procedures that are progressive in nature will follow the following format:
   a. Written Warning. The employee is issued a formal written memo as official documentation noting the date of the incident, a detailed description of the incident, the dates of any / all prior non-disciplinary sessions, the discipline being issued and the desired outcome. The employee must sign off acknowledging receipt of the written warning. Notes reflecting prior non-disciplinary sessions (unofficial documentation) should be attached.
   d. Suspension. The employee is issued a memo noting the date of the incident, a detailed description of the incident, the dates of any / all prior incidents, the dates of any / all prior discipline
issued and the desired outcome. The actual days of unpaid suspension must be specified and the employee must sign off acknowledging receipt of the suspension. Suspensions may range from one (1) to five (5) days.

e. Termination. The employee is issued a memo noting the date of the final incident, a detailed description of the incident, the dates of any / all prior incidents and the dates of any / all prior counseling sessions and discipline. The actual final date of employment must be noted and the employee must sign off acknowledging receipt of the termination.

5. Human Resources and the Executive Administrator responsible for the department must pre-approve all suspensions; the President must pre-approve all demotions and terminations.

6. All discipline must be issued by the immediate supervisor with another supervisor present to witness. No discipline may be issued, however, absent the approval of Human Resources; such approval is for verification of contents, regulatory compliance, consistency in application and uniformity of language. Discipline must be initiated by the immediate supervisor. Human Resources can provide a format and dates of prior discipline if the supervisor is unaware.

7. Employee’s who are issued discipline may request to have a current employee who is in their same classification present as a witness. The witness is there to observe, not advocate, on the employee’s behalf. Employees are to sign off acknowledging receipt of the discipline but not necessarily agreement with the contents of the discipline. If the employee refuses to sign, both the employee’s immediate supervisor and the supervisor’s witness must sign, note who was present, the date the discipline was issued and the employee’s refusal to sign.

8. All original, signed, disciplinary forms must be returned to the Human Resource Department for inclusion in the employee’s personnel file. The supervisor and the employee should retain a copy.

9. Additional forms of disciplinary corrective action may include:

a. A “Last Chance” agreement may be offered in conjunction with or in lieu of a suspension. The employee acknowledges the “Last Chance” and accepts all conditions of employment noted therein. A violation of any part of the “Last Chance” will be grounds for immediate termination.

b. Demotion: the supervisor issues a memorandum demoting the employee to a prior position or an open vacancy commensurate with the employee’s qualifications.

c. Mandatory / Voluntary Referral for Evaluation. As part of a “Last Chance” agreement or an independent action, the employee may voluntarily accept or be required to accept an evaluation by the Employee Assistance Program as part of a fitness for duty determination. Such evaluations are usually, but not always, used in conjunction with discipline for substance abuse; they may also be associated with discipline for disruptive, unreasonable or unusual behavior. As part of a “Last Chance” or disciplinary action, the employee acknowledges the receipt of the evaluation and agrees to accept the requirements of the evaluation as part of the continuing employment relationship.

10. Employees under possible disciplinary investigation may be placed on Administrative Leave. The supervisor issues a memorandum placing the employee on a paid leave while an investigation is conducted into an alleged violation of University policies or procedures, at the conclusion of which the employee may either return to work or be placed on an unpaid suspension. A paid administrative leave is not a presumption of guilt; rather, the University removes the employee from the situation to protect the University, protect the employee or allow the investigation to proceed unimpeded. For some violations, employees may be immediately placed on unpaid suspension pending an investigation.

11. Noting contained in this corrective action policy or procedure shall change an employee’s at-will status or otherwise limit the University’s right to terminate employment at will.

12. A copy of the suggested memo for issuing discipline is attached.
MEMORANDUM

TO: [Employees Name – Title]

FROM: [Supervisors Name – Title]

DATE: [Date of Issuance]

RE: [Note TYPE of Discipline and CAUSE]

On [date] you were observed [note the immediate cause of the discipline]-----------------------------
---

An investigation revealed that [note the results of the investigation] -----------------------------
---

You record indicates receipt of discipline for the following reasons on the dates noted: Prior
Disciplinary Actions: [if applicable]:
---

You are hereby requested to [note the desired outcome here]-----------------------------
---

Any further instances of this, or any other violations of University policies, procedures or commonly
accepted work place practices, will result in additional discipline up to and including possible
termination.

My signature below acknowledges my receipt of this discipline but not necessarily my agreement
with the contents.

__________________________________________ ______________________
Employee Name Date