**Sample Language: Progressive Discipline & Gross Misconduct**

**Progressive Discipline**

**Sample #1**

Involuntary Separations: Imposed by the employer for such reasons as unsatisfactory performance, failure to complete assigned tasks, unsatisfactory job habits, misconduct, breach of a duty reasonably owed an employer, insubordination, excessive absenteeism and/or tardiness, appropriation for personal use of goods or material owned by the employer and performance of duties while under the influence of drugs or alcohol. This list is not intended to be all-inclusive. The [INSERT NAME OF ORGANIZATION] retains the right to discharge an employee for reasons it sees fit. At its option, the Association may choose to impose discipline or a suspension for the above acts depending upon all of the circumstances.

In determining how to proceed, a supervisor should consider matters carefully and consult with the [INSERT APPROPRIATE PERSONNEL HERE]. When used, progressive discipline will usually be applied as follows:

1. The supervisor will privately counsel the employee, addressing the problem and changes expected of the employee. At this time, the employee will be informed that further action will be taken should the employee not correct the problem within a specific time frame. This should be documented, to include name/position of employee and date/time.
2. If the problem continues, the supervisor will prepare a written warning detailing specific changes in performance expected within a specified time frame and will meet with the employee to discuss it. A copy of this written warning is to be placed in the employee's personnel file. This should be documented, to include name/position of employee and date/time.
3. If the employee does not correct the problem to the satisfaction of his/her supervisor, the employee will be terminated. This should be documented, to include name/position of employee and date/time.

All such terminations must have the approval of the [INSERT APPROPRIATE PERSONNEL HERE].

**Sample #2**

Proper discipline is to be constructive, not destructive, and should strive to build and reinforce a positive staff member-employer relationship. Actions of staff members not in the best interest of [INSERT NAME OF ORGANIZATION] or adverse to good management or standards of performance are subject to disciplinary action and/or termination.

**Disciplinary action can be any one or all of the following at the sole discretion of the [INSERT NAME OF ORGANIZATION]:**

* **Counseling:** An open dialogue between staff member and the immediate supervisor regarding the situation, the need for improved performance or conditions, and specific results within a specific time period, including verbal and written warnings. This should be documented, to include name/position of employee and date/time.
* **Performance Conference/Corrective Plan of Action:** The notice to a staff member by immediate supervisor of expected results within a specific time period with termination of employment to follow if the stated conditions are not met. Implementation of a corrective plan of action does not guarantee employment for the duration of any given plan. This should be documented, to include name/position of employee and date/time.
* **Suspension:** All suspensions with or without pay are to be approved by the [INSERT APPROPRIATE PERSONNEL HERE]. All staff members involved in incidents that need to be investigated may be suspended with or without pay until appropriate action is determined. This should be documented, to include name/position of employee and date/time.
* **Termination:** Termination of employment can follow any one, two, or all or the disciplinary actions described or can be immediate as deemed appropriate based upon the facts or the individual case. This should be documented, to include name/position of employee and date/time.

**Gross Misconduct**

**Sample #1**

Behavior that is illegal is not subject to progressive discipline and may be reported to local law enforcement. Theft, intoxication at work, violations of Child Protection Policies, fighting, and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination.

**Sample #2**

Discipline may follow a progressive discipline plan, although [INSERT NAME OF ORGANIZATION] may deviate from this plan when circumstances indicate more severe discipline or immediate termination is appropriate.

**Sample #3**

An employee may have their employment terminated without notice for gross misconduct; theft; violation of the Association’s drug and alcohol policy; wrongful appropriation; destruction or misuse of Association funds, goods, facilities or materials; falsification of records; unlawful conduct; or harassment.