



Policy Title	Discipline
Policy Number	E-1
Page	1 of 4

DISCIPLINE	
PURPOSE	<p>Memorial’s discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior or performance issues. It is consistent with Memorial’s organizational values, human resource best practices, employment laws, and Just Culture. For specific information or discipline to be issued related to absence or tardiness, please refer to Policy E-15, Attendance and Punctuality.</p>
SCOPE	All Memorial Healthcare System Employees
POLICY GUIDELINES	<p>Employees are required to follow company policies, make behavioral choices that are supportive of all organizational values, and avoid causing unjustified risk or harm to self or others. Nevertheless, we fully expect that employees will face circumstances where breach of one of these duties has occurred, whether justified or not.</p> <p>Where working under a duty to produce an outcome, an employee will be held accountable as directed by the Code of Conduct and individual policies. These policies put the employee on notice of the duty and prescribe acceptable outcomes attached to each duty (e.g., time and attendance, anti-harassment).</p> <p>Where working under a duty to follow a procedural rule within a system, an employee will be subject to disciplinary action when that employee has recklessly disregarded the risks associated with non-compliance.</p> <p>At all times, an employee is subject to a duty to avoid causing harm to him/herself, fellow employees, patients, visitors, and the organization. Under this duty, an employee will be subject to disciplinary action when the employee has acted with reckless disregard toward self or others.</p> <p>In addition to discipline stemming from single events, when it is found that an employee has committed a series of human errors or at-risk behaviors, that employee will be subject to disciplinary action when it has been found that non-punitive remedial action (e.g., education, coaching) has not been effective in changing behavior.</p>
PROCEDURES	<p><u>ADDRESSING DISCIPLINARY ISSUES</u></p> <p>The “Counseling Notice” form is to be used for all documented disciplinary actions. The following actions should be taken when addressing disciplinary issues:</p> <ol style="list-style-type: none"> 1. Consult Human Resources for guidance and assistance on all disciplinary actions. 2. Provide the employee to be disciplined the opportunity to explain what occurred. Where appropriate, a documented investigation should be completed prior to any disciplinary action being taken. 3. The written counseling document should include the following: <ol style="list-style-type: none"> a. Clear statement of the conduct and/or performance problem. b. Employee’s statement or response.

Policy Title	Discipline
Policy Number	E-1
Page	2 of 4

- c. Steps that the employee must take to improve.
 - d. Specific warning of the disciplinary actions that could occur if the required changes do not take place within a prescribed time frame and acceptable behavior or performance is not maintained going forward.
4. The supervisor should present the Counseling Notice during the employee’s work time. If this is not possible, the employee must be paid for the time during which the Notice is presented (a non-exempt employee must clock in while being counseled). The Counseling Notice should be issued as soon as possible after the decision to discipline has been made.
 5. If an employee initially refuses to sign the Counseling Notice, an explanation should be given to the employee that his/her signature on the Counseling Notice indicates the actions were discussed, not necessarily that the employee agrees with the contents.
 6. Should the employee still refuse to sign the Counseling Notice after the explanation above is given, a statement indicating the employee’s refusal to sign must be added and a witness, preferably another manager, should verify the refusal. The employee may submit a written response for attachment to the Counseling Notice for inclusion in the employee’s personnel file.
 7. Comments on a Performance Evaluation do not substitute for a Counseling Notice.
 8. The original of any written Counseling Notice must be sent to the Human Resources Department for inclusion in the employee’s personnel file.
 9. Employees should be provided a copy of the counseling notice, regardless of whether they choose to sign.

DISCIPLINARY ACTIONS

The following are possible disciplinary actions. Memorial reserves the right to combine or skip any of the actions below depending on the facts of each situation and the nature of the offense.

Verbal Warning

A documented verbal counseling session is discretionary and may be appropriate to correct minor instances of misconduct or poor performance. If Memorial determines that the nature of the event so warrants, a verbal warning is not required prior to a written warning or suspension or discharge.

Written Warning or Suspension

Human Resources must be contacted prior to issuing any written disciplinary action or suspension. A written warning or suspension may be appropriate when unsatisfactory performance or behavior continues after being addressed with the employee, or when the performance or behavior issue warrants immediate formal discipline. If Memorial determines that the nature of the event so warrants, a written warning or suspension is

Policy Title	Discipline
Policy Number	E-1
Page	3 of 4

	<p>not required prior to a discharge.</p> <p>Performance Improvement Plan</p> <p>In the event that an employee demonstrates performance that does not meet the standards for their position, the manager may elect to issue a Performance Improvement Plan (PIP). The PIP will compare the level of performance demonstrated to the level of performance required, outline the performance improvements required, and designate the date by which the improvements must occur. A PIP generally is issued for either 30, 60, or 90 calendar days and includes documented periodic follow-up meetings between the employee and supervisor to discuss progress towards the improvement goals. When determining the length of the PIP, a manager must consider the reasonable amount of time for the employee to demonstrate the necessary improvements, including the significance of the deficiency, the frequency of the task, and the availability of training. Human Resources must be contacted prior to issuing a PIP. PIPs are not issued for behavioral issues. Pursuant to Policy C-07 Performance and Competency Evaluation, a 90-day PIP is to be issued when an employee receives an overall rating of Needs Improvement on his/her annual performance evaluation.</p> <p>Discharge</p> <p>Discharge may occur when unsatisfactory performance or behavior continues following a written counseling, PIP, and/or suspension. Discharge may also occur without prior disciplinary action when Memorial determines that the employee's performance or behavior issue is of a serious nature or constitutes Misconduct (as defined below). Approval from the appropriate Administrative leader and the Director of Human Resources, or his or her designee, are required before proceeding with a discharge. If approval cannot be obtained due to unavailability, the employee should be suspended immediately pending review.</p>
<p>DEFINITIONS</p>	<p>MISCONDUCT</p> <p>Examples of Misconduct may include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Reporting to work under the influence of alcohol, unlawful drugs, or controlled substances. ▪ Refusal to consent to drug/alcohol test or tampering with specimens pursuant to Policy E-17. ▪ Possession or use of unlawful drugs or alcoholic beverages on Healthcare System premises. ▪ Conduct that is found to be harassing, discriminatory, or retaliating in nature. ▪ Unauthorized possession of property of the Healthcare System, patients, or employees. ▪ Falsification or manipulation of timecards/records. ▪ Falsification of documents or records. ▪ Threatening or coercive behavior.

HUMAN RESOURCES POLICY



Policy Title	Discipline
Policy Number	E-1
Page	4 of 4

	<ul style="list-style-type: none"> ▪ Indecent conduct. ▪ Possession of a weapon inside a Healthcare System facility. ▪ Fighting on Healthcare System premises. ▪ Breach of integrity. ▪ Failure to cooperate or participate during an investigation; actual or attempted interference with an investigation; withholding information or knowingly providing false information during an investigation. ▪ Refusal to complete assigned duties or refusing to follow a direct order from a supervisor pertaining to work (insubordination). ▪ Refusal to authorize background check when requested pursuant to Policy E-13. ▪ Unauthorized access or release of confidential information, including but not limited to personal health information. ▪ Abuse of patients; patient abandonment
ORIGINAL ISSUE DATE	September 2005
REVIEW/REVISION DATES	Reviewed: June 2008, August 2010, September 2013, October 2015 Revised: March 2016, March 2018, September 2018, November 2019, August 2020
POLICY OWNER	<p>Human Resources</p> <p>If any of the statements contained in this policy conflict with any verbal statements or agreements made by any representatives of MHS, then the statements contained in this policy shall control the outcome of any such conflict.</p> <p>Memorial reserves the right to modify this policy in whole or in part, at any time, at the discretion of the Health System or as required by applicable law, regulation, or governing/accrediting body.</p> <p>Employees who have questions regarding information contained in this policy should contact the Human Resources Department.</p>
ONLINE LOCATION	All policies are subject to amendment. The most recent version of this policy can be accessed internally online: http://docs/Documents/Policies_and_Procedures/Systemwide/HumanResources .