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1. PURPOSE

The purpose of corrective action is, when possible, to assist employees in making improvements by offering clear and precise feedback regarding problems in their conduct or job performance, to communicate the consequences if the same or other mistakes or misconduct reoccur, and to determine when it is appropriate to take further action.

Corrective action can be a result of an employee’s failure to meet expectations for job performance or workplace conduct; violation of college policy; failure to meet professional guidelines and behavioral standards as outlined in the staff handbook; or any other situation in which the supervisor deems necessary to ensure an effective, safe, and productive workplace.

These procedures define the process for any corrective action taken, up to and including termination of employment.

2. DEFINITIONS

A. Unsatisfactory job performance is an employee’s failure to meet minimum acceptable standards of work. Examples include but are not limited to:
   - Failure to meet established deadlines
   - Accuracy/errors
   - Absenteeism/tardiness
   - Violations of protocols, regulations and procedures governing safety or compliance
   - Lack of professionalism in delivery of service, quality of communication, or demeanor
   - Pattern of inaccuracy in performance of essential duties
   - Pattern of neglecting parts of one’s job
   - Frequent substantiated complaints from students, colleagues, or other members of the college community
   - Failure to meet reasonable deadlines
   - Lack of cooperation with others

B. Unacceptable workplace conduct is behavior that violates work rules or policy, or any action that negatively impacts the workplace. Examples include but are not limited to:
   - Inattention to duty
   - Insubordination
   - Dishonesty
   - Misuse of college funds or property
   - Theft
   - Threatening or violent behavior of any kind.
   - Assaulting or physically attacking another individual
   - Using threatening, intimidating, or abusive language (oral or written) and/or gestures
   - Interfering with another individual’s legal rights of movement or expression
   - Using or possessing firearms, explosives, knives, or any items that could be used as weapons
   - Destroying or damaging college property or computer files and/or other acts of workplace
sabotage

- Stalking or similarly harassing behavior toward employees, students, or campus visitors
- Verbally threatening to harm another person or destroy property
- Violations of policy or procedure

C. **Verbal Warning** is a verbal clarification of expectations appropriate in the case of a minor or short-term deviation from acceptable standards. A verbal warning must be documented by the supervisor but is not recorded in the employee’s file.

D. **Written Warning** is a written corrective action appropriate when a single incident is more serious than appropriate for a verbal warning or there is a pattern of deviation from acceptable standards.

E. **Final Written Warning** is a written corrective action appropriate when a single incident warrants placing an employee on final notice or there is a pattern of deviation from acceptable standards despite prior verbal or written warnings given the employee.

F. **Termination for Cause** is an involuntary termination of employment due to job performance, conduct, policy violation, inappropriate workplace behavior, or any other reason deemed necessary and appropriate by Westminster College.

### 3. CORRECTIVE ACTIONS

Supervisors are responsible to provide clear expectations and ongoing feedback to employees and to identify and address areas of concern. When a supervisor identifies that corrective action may be necessary or appropriate they should contact the Human Resources department for guidance.

The following steps must be followed in taking any corrective action:

1. Supervisors must have an understanding of the facts and circumstances before initiating corrective action. Supervisors are responsible for conducting a fair and objective investigation/fact finding of the situation or occurrence. More complex investigations may be conducted by the Human Resources Department and other institutional offices, as needed.

2. Supervisors may place an employee on a paid administrative leave during an investigation. While on administrative leave, the employee is expected to be available during their regularly scheduled hours of work, should not be in the workplace, and should not conduct any business on behalf of the College.

3. Supervisors should, whenever possible, discuss the situation with the employee to understand their perspective prior to taking corrective action.

4. Supervisors must consult with a Human Resources representative to determine the appropriate level of action.
   a. The seriousness of the offense and the employee’s performance history will be considered when determining the level of corrective action to be applied.
   b. All decisions to initiate corrective action should be made in consultation with Human Resources.
   c. The facts and circumstances of each situation will determine the action taken.
5. All written corrective action must be reviewed by HR prior to being issued. Written corrective action should describe the unacceptable performance or conduct, outline expectations, and state that further disciplinary action will occur if the behavior is repeated.

### 4. TERMINATION OF EMPLOYMENT

If the conduct or performance addressed by prior corrective is repeated or additional problems occur, the college will consider termination of employment.

Situations of misconduct that involve dishonesty, violations of law or college policy, or significant risk to the safety or well-being of others may be grounds for immediate termination of employment even in the absence of prior corrective action.

The following steps will be taken prior to terminating employment for cause:

1. Pre-termination meeting – The Human Resources representative will schedule a pre-termination meeting with the employee and the direct supervisor prior to making a decision to terminate employment. In this meeting, the employee will be given an opportunity to respond to identified concerns.
2. Notice - The Human Resources representative will give employees at least 24 hours’ notice of a pre-termination meeting. Reasonable efforts will be made to contact and inform the employee. If the employee does not attend the scheduled meeting, decisions regarding their employment status will be made based on facts and information available to the college.
3. Review and approval – The Human Resources representative will present a recommendation of termination of employment for cause to the General Counsel and the appropriate Cabinet level leader for approval.
4. Notice of action – The Human Resources representative will provide employees written notice of termination on or before the effective date of their separation from employment.

### 5. APPEAL OF CORRECTIVE ACTION

Staff may appeal written corrective action or termination of employment within five (5) business days of receiving written notice of the corrective action or termination of employment. The grounds for appeal are the following:

- **Procedural error** - The corrective action was not taken in accordance with these procedures.
- **Information not taken into account** - Certain information was not known or not considered in determining the appropriate corrective action and this substantially affected the determination.

To appeal an action, the employee must submit to the Executive Director of Human Resources a written statement citing the grounds for appeal and providing an explanation of their position within five (5) business days of receiving written notice of the corrective action.
The Executive Director of Human Resources will conduct a review or assign another individual not previously involved in determining the corrective action. After the review, the staff member will receive a final, written determination, and corrective action will be implemented as deemed appropriate. There is no further option for appealing the corrective action beyond review by the Executive Director of Human Resources.

An individual who believes corrective action has been taken against them based on race, color, pregnancy, childbirth or pregnancy-related conditions, age, national origin, disability, sex, sexual orientation, gender identity, gender expression, non-conformity with gender stereotypes, religion, military status, or genetic information should contact a Title IX Coordinator or Equal Opportunity representative.

6. RESOURCES

The Employee Assistance Program is available to staff who are eligible under the College’s benefits program. The EAP can provide outside resources and referrals and may be helpful for employees who are taking steps to improve their work performance or ensure that inappropriate conduct does not recur.