

## TOPIC:      **Pre-Discipline Checklist**

Prior to taking disciplinary action against an employee, it is suggested that a supervisor reflect upon the employee's overall performance, agency policy, and other factors by using this form.

### **Pre-Discipline Checklist**

Use the following checklist as a guide prior to taking disciplinary action against an employee:

	<u>YES</u>	<u>NO</u>
A.      Have you clearly communicated performance goals to the employee?	___	___
B.      Have you first communicated with the employee to see if there is a performance deficiency that requires additional training?	___	___
C.      Is the discipline based on a legitimate business complaint?	___	___
D.      Can you give specific examples of how this employee has failed to meet performance or behavior standards?	___	___
E.      Are you clearly documenting every incident in writing?	___	___
F.      Have you given an opportunity for questions and problem-solving?	___	___
G.      Are you prepared to meet with the employee in a calm, friendly manner?	___	___
H.      Have you arranged to meet in a quiet place where you will not be disturbed?	___	___
I.      Have you allotted enough time to allow both you and the employee to discuss the problem and arrive at a solution?	___	___
J.      Have you thoroughly reviewed the steps of progressive discipline?	___	___
K.      Have your actions been consistent with agency policies?	___	___
L.      Is there a workplace violence issue?	___	___
M.      Is there need to consult with Human Resources or legal counsel?	___	___

COMMENTS/CONCERNS:

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## Pre-discipline Checklist

### A. Have you clearly communicated performance goals to the employee?

- Are there agency policies and performance expectations in place?
- Are the policies and expectations, fair, unbiased, updated and practical?
- Has the employee been provided training, an orientation and the necessary equipment to successfully perform and abide by agency performance goals and/or agency policy?

**Example:** *You decide to discipline an employee for not wearing personal protective equipment.* Ask yourself, has the employee received a copy of the safety manual, been trained on the required PPE for the job and given the appropriate PPE to wear? How have I handled similar situations with other employees? Should the employee be disciplined if they have not received adequate information? Would coaching and counseling be a better alternative?

### B. Could the performance deficiency be related to a lack of or inadequate training?

- Determine if the reason for the employee's performance or negative behavior problem is related to a lack of or inadequate training.

**Example:** *You decide to discipline an employee for not securing the brake on the wheel chair of a participant located on a pool deck. The employee was directed to supervise the participant, but not trained on pool safety issues and procedures.*

Ask yourself; is this a disciplinary situation or a coaching and training opportunity? Should the pool manager or site supervisor have provided a pool safety orientation to the facility?

### C. Is the discipline based on confirmed information and facts?

- Is your decision based on facts, not inference, suspicion or emotion?
- What are the known facts? What is hearsay?
- Do the supervisor and employee have any personality problems?
- Might your actions be perceived as discriminatory?
- Was the employee provoked?

**Example:** *An employee is accused of stealing stock from the concession by a co-worker that has had a running dispute with the accused. You do have missing stock as confirmed through your inventory records, but have no witnesses or other evidence to prove who stole the goods.*

Ask yourself, do you have enough information to formally accuse or take disciplinary action against the accused employee? Do you need more evidence of theft before taking any action? What should you do to investigate this incident and prevent any possible further theft?

### D. Can you give specific examples of how the employee has failed to meet performance or behavior standards?

- Can you document specific dates, times, policy references, rule infractions, inappropriate behaviors, etc.?
- Have you investigated the incident(s) to verify information and have adequate evidence of the facts?
- Have you spoke with any applicable witnesses?

**Example:** *On June 12, at 9:00 am, I observed you operating the truck without using your seatbelt. This is a violation of agency safety policy 4.03.02. You received training on this policy during your vehicle orientation at hire.*

This disciplinary action example is well documented and specifically indicates the policy violated leading to the disciplinary action.

### E. Are you clearly documenting all incidents in writing?

- Have you kept a performance/counseling log?
- Are there specific, fact based examples documenting your findings?
- Do you have all the facts recorded accurately?
- Have you documented all facts and supervisory actions?

**F. Have you provided an opportunity for questions and problem-solving?**

- Did you discuss the performance problem or policy violation with the employee and document the incident in a coaching/counseling log?
- Has the employee been warned or counseled in the past?
- Have there been similar problems with the employee before?
- Has the employee been made aware of the consequences of their actions?
- Has the employee had sufficient time or opportunity to correct the negative behavior?

**G. Are you prepared to meet with the employee in a calm and professional manner?**

- What is your frame of mind?
- Are you mad, frustrated or angry? If so, you may should probably wait before meeting with the employee.

**H. Have you arranged to meet in a quiet place where you will not be disturbed?**

- Is the meeting place private and away from other employees and the public?
- Who will be present at the meeting?
  - Human Resources person?
  - Another Manager/Supervisor?

**I. Have you allotted enough time for both you and the employee to discuss the problem and arrive at a positive solution?**

- Always a lot enough time for the employee to discuss the situation and provide feedback?

**J. Have you thoroughly reviewed your agency policy on discipline?**

- Would coaching/counseling be more appropriate and effective?
- What is past work performance history with this employee?
- Is the discipline timely?
- Does the “punishment fit the crime”?
- Is there an appeal process?

**K. Have your actions been consistent with agency policies and past disciplinary practices?**

- Has this employee been involved in a similar incident before?
- How have similar situations been handled?
- Has the investigation been fair and impartial?
- Will the investigation be perceived as impartial?
- Would the agency be able to support an allegation of discrimination, retaliation or unjust treatment?

**L. Is there a workplace violence issue?**

- Are there any safety/violence issues associated with meeting or disciplining the employee?\*
- Should the EAP and/or local law enforcement be contacted?\*

**M. Should you consult with Human Resources or legal counsel?**

- Have you involved other managers, legal counsel or others for their opinion?
- Are there “big picture” agency policy or legal issues that you are overlooking?
- Should the discipline be discussed with or approved by senior management?