

## **Corrective Action Guidelines for Administrative Employees**

**Applies to:** All administrative employees

### **OBJECTIVE**

Serving the mission of a world-class institution requires a high level of professionalism, accountability, and productivity. Vassar College aspires to foster an inclusive and positive professional atmosphere for all of its employees. These guidelines are established in order to provide a structure that allows Vassar to maintain its high standards of performance, while also encouraging employees who may not be meeting expectations to improve their performance and ultimately flourish. The steps below are intended to promote clear communication between supervisors and non-union administrative employees about job expectations and fulfillment of those expectations—as related to attendance, job performance, and behavior at work. This approach to professional development facilitates learning and improving together to ultimately create the inclusive and positive atmosphere we need to sustain our mission as a world-class institution of higher education.

### **OVERVIEW**

Administrators in both supervisor and supervisee roles are expected to perform according to the highest standard of ethics, honesty, and work performance. The procedures below help clarify the process by which supervisors and supervisees can communicate explicitly about and achieve expected work results. Before initiating corrective action that includes an oral, written, or final written warnings, supervisors should contact Human Resources. Similarly, if corrective action has been received, employees are encouraged to be in touch with Human Resources. By New York State law, all non-union employees are employees at will, and nothing in these guidelines or any policy is intended to imply a contract. It is the intent of the College to consistently apply these guidelines with supervisors and employees in all cases, but the facts and circumstances of each case may influence the implementation of corrective action. Criminal or other off-campus behavior that impairs suitability for employment may also be the subject of corrective action under these guidelines.

### **DEFINITIONS AND GUIDELINES**

1. **Corrective Action:** The purpose of corrective action is to provide notification to the employee that there is a need to alter job performance, attendance or behavior in a way that meets College and departmental expectations, consistent with one's job description and responsibilities. Corrective action also provides the opportunity for the employee to respond and correct the relevant behavior. Corrective action usually should proceed in the following progressive steps: a) oral counseling, b) oral warning, c) written warning, d) final written

- warning or final written warning with disciplinary suspension, and e) discharge
2. Inappropriate Behavior: Behavior which, whether by act or omission fails to meet high standards of professionalism, accountability, and productivity; interferes with a supervisor's, other employee's, or other Vassar community member's efforts to maintain an inclusive and positive atmosphere; or otherwise impedes the continual and efficient operation of the College.
  3. Authorized Administrative Leave: An administrator may be placed on a non-punitive, imposed absence from work for an unspecified period of time, pending investigation of suspected poor performance, poor attendance, or inappropriate behavior. An imposed absence may also be appropriate when considering a final written warning with a disciplinary suspension, when considering discharge, or when an employee's immediate removal from the work area is necessary. Decisions about pay during an investigatory absence are based on the facts and circumstances of the case and in conjunction with Human Resources. Human Resources will work with the supervisor to determine the reasonable and necessary duration of administrative leave. Leave will ultimately resolve with:
    - a. Not found accountable under these guidelines (employee returns to work with no loss of pay);
    - b. Written Warning, Final Written Warning, or Final Written Warning with Disciplinary Suspension;
    - c. Discharge

Supervisors and managers will make efforts to ensure that any corrective action, including discharge, is fair and reasonable. Supervisors and managers will make efforts to consider the employee's side and to investigate and consider all relevant circumstances and all relevant parties' perspectives in determining if corrective action is appropriate.

Human Resources personnel are available to employees and supervisors to explain the corrective action process. Human Resources can provide information, options and a recommendation for further action. Human Resources works with the supervisor and, as appropriate, the relevant senior officer to determine what action is to be taken. Senior officer consultation and approval is required in advance of termination. Human Resources personnel are available to mediate and/or provide alternative resolutions and perspectives. No corrective action resulting in written warning, disciplinary suspension, final written warning, or discharge may be taken without prior review with Human Resources. Employees should be told at the start of any corrective action that they may consult with Human Resources.

The Employee Assistance Program (EAP) is available to assist employees with personal problems which may be affecting their work performance. The staff of the EAP is available to assist supervisors in making referrals. Employees should be aware that utilizing the services of the EAP is voluntary and confidential. Any referrals to EAP by the supervisor should be documented, particularly in any written warnings.

If, in conjunction with Human Resources, a supervisor deems an employee to have improved job performance, attendance, and/or behavior to an acceptable level following application of corrective action, and the behavior requiring correction does not recur over a reasonable period of time, a letter citing conclusion of the corrective action process may be given to the employee, although this is not required. The supervisor's annual performance review should take into account the employee's performance over the full annual period, citing as appropriate both the corrective action process and result. A copy should be sent to Human Resources for addition to the employee's employment record.

Corrective action generally progresses within the separate tracks of job performance, attendance, or inappropriate behavior, meaning that there could be more than one corrective action proceeding taking place at the same time for the employee; however, it is always important to consider the specific facts for each employee before taking corrective action, which may include review of prior or concurrent corrective action. Also, some job performance, attendance or inappropriate behavior may be so serious as to warrant bypassing some steps of corrective action, or to cause immediate discharge. Examples of such conduct are set forth in the Administrative Handbook. Regardless of the progressive action being taken, it should be applied in a timely, transparent, and consistent manner.

## **PROCESS**

The process outlined below is a guide to the steps that may be taken, and the general order in which they may be taken for progressive corrective action. However, please remember that corrective action should be taken in a manner consistent with the unique circumstances of each employee, which includes review of the employee's history with the College and prior or concurrent corrective action, and the nature and severity of the issue in question.

First Step - Oral Counseling: A supervisor may elect to first orally counsel an employee about the issue.

Second Step - Oral Warning: The supervisor identifies a) the inappropriate behavior, performance deficiency, or attendance problem; b) the impact of such conduct on the department and the College; c) future expectations; and d) potential ramifications if the behavior does not change. Notes from the discussion should be retained by the supervisor.

Third Step - Written Warning: A written warning should be in the form of a memorandum or letter from the supervisor to the employee and include the items listed under "Second Step – Oral Warning," above. The written warning notifies the employee, in a more significant way, of the cause for concern regarding attendance, performance or behavior and makes clear that additional and severe corrective action may occur if there is no

improvement. A copy of the written warning should be sent to Human Resources.

Fourth Step - Final Written Warning or Final Written Warning with Disciplinary

Suspension: The choice of action depends on the circumstances present.

The purpose of the final written warning is to notify the employee in a significant way of cause for grave concern regarding attendance, job performance or inappropriate behavior. Another purpose is to indicate that further corrective action may occur if there is no improvement.

Disciplinary suspension without pay is a very serious form of corrective action. It should be used in combination with a final written warning or the reissuing of a final written warning only if the supervisor believes a suspension will help the employee correct the conduct. A Disciplinary Suspension should be for a stated period of time, but only of duration sufficient to demonstrate extreme concern about the employee's behavior, job performance or attendance. An authorized administrative absence, with pay, may be used during an investigation while determining appropriate corrective action.

Fifth Step – Discharge: Discharge is used when the supervisor, in consultation with Human Resources and the appropriate senior officer, concludes that attempts to correct the employee's behavior have failed or when the improper conduct is of such a serious nature that the employment relationship should not be continued.

## **DOCUMENTATION**

A record of any corrective action step taken in this process should be maintained by the supervisor. Written notices provided to the employee should state the nature of the inappropriate behavior, performance deficiency, or attendance problem; what is required to change the conduct; when the change must be made; and the consequences if the change is not made. The memorandum should also state clearly the nature of communication; e.g., "This is a written warning (or final written warning, or final written warning with a disciplinary suspension)."

The written record maintained by the supervisor should indicate that the employee's side was heard and considered prior to the taking of the particular action. If giving a final written warning with a disciplinary suspension, the length of the suspension should be clearly indicated. The memorandum or letter should also indicate that Human Resources is available to the employee for consultation.

The memorandum or letter should be given to the employee and a copy sent to Human Resources for the employee's employment record. The employee is not required to sign any written warning or other document. Sample written warning and final warning memoranda are available through Human Resources.

Documentation of a discharge also should be given in the form of a brief memorandum. The reasons for the discharge should be stated, indicating that the employee's side was

heard and considered. The memorandum should indicate that Human Resources is available to the employee as a resource. The memorandum should be reviewed by Human Resources in advance and a copy of the final memorandum provided to Human Resources for inclusion in the employee's employment record. The employee does not have to sign the discharge letter.

### **EMPLOYEE APPEAL**

If the employee believes corrective action of oral warning, written warning, final written warning, administrative absence or suspension, or discharge has been undertaken unfairly, the employee may bring the concern to Human Resources and the senior officer who is responsible for the employee's work unit. This request should be submitted in timely fashion and no more than 30 days after corrective action. The senior officer will conduct a review and be responsible for the final decision in such cases.

### **CONFIDENTIALITY**

Corrective action is to be treated as a confidential matter and information about the corrective action shared only on a need-to-know basis or as otherwise required by College policy or law. Verbal and written communications/notes should be handled with discretion and information shared only on a need-to-know basis. Any administrative absence or suspension should be described to others as an authorized absence.