



EFFECTIVE STRATEGIES FOR PROGRESSIVE DISCIPLINE

Progressive discipline is a tool many employers use when coaching or instructing an employee on how to perform duties in a specified manner. In recent years, the term progressive discipline has commonly been used in place of other terms that convey a harsher tone. Terms like counseling, record of conversation, coaching, and performance reminders are also used to lessen the blow of what everyone knows is a warning. Using progressive discipline in the workplace can be an effective tool, but, if used incorrectly, can turn the workplace into a negative and hostile environment.

TIPS:

1. Always make sure that the issue, expected action, and consequences are specifically addressed in the meeting and through documentation.
2. Document the date, who was in attendance, how long the meeting lasted, and what was discussed. Even for a verbal warning, a record of the conversation should be created.
3. Follow up with an employee thirty (30) days after a warning to ensure that the expected action is taking place, and then document any improvement.
4. Establish the ability of an employee to satisfactorily perform a job by documenting improvement after a warning is issued. If, at any point, an employer terminates an employee for failure to perform job duties, the employer must show that the former employee had the ability to perform job duties and willfully and intentionally chose to not perform the duties as expected, in order to prevail in an unemployment claim.
5. Use a 90 day probationary period. If an employee is not able to perform a job after a 90 day period, the employer should let them go. Do not prolong the inevitable. Remember, the longer an employee is employed, the higher the value of the unemployment claim. With employment that lasts 90 days or less, the potential liability of a claim is extremely small.

For other strategies on handling employee issues, or the management of unemployment claims, please do not hesitate to contact us.