

Anthony Medical & Chiropractic

SUBJECT: DISCIPLINARY PROCESS	Effective: Immediately
POLICY NUMBER: AMC-2.8001	Review Date: 7-6-2021
PREPARED BY: Human Resources	Revision Date:

CLASSIFICATION: All Employees of Anthony Medical & Chiropractic

POLICY:

This policy has been created to state the company position regarding the process of disciplinary actions.

OBJECTIVE:

The purpose of this policy is to establish the guidelines in which the company will interact with employees to implement corrective behavior processes as well as extending disciplinary actions for inappropriate behaviors and continuation of repetitive behaviors not acceptable in the workplace.

ASSIGNMENT:

For clinical, clerical, and administrative employees of Anthony Medical & Chiropractic to maintain an optimal level of performance and efficiency in the workplace.

PURPOSE:

Anthony Medical and Chiropractic's (AMC) has a progressive discipline policy and procedure intended to improve and prevent a recurrence of undesirable employee behavior and performance.

AMC may combine or skip corrective or disciplinary steps depending on the facts and the severity of the offense. Some factors that will be considered include repeated offenses despite interventions, the employee's work record, and the impact the conduct and/or performance has on the organization.

On occasion, employees may experience negative interactions with other co-workers. If any employee believes the behavior of another co-worker needs to be brought to the attention of AMC, the employee will provide written communication describing their observation to their supervisor and note the presence of any other employees who were present. If it is the behavior of a supervisor which is of concern, then the written communication shall be sent to the next level supervisor. An employee may speak to their supervisor informally for advice or support regarding a problematic behavior of another employee without first providing a written report. However, supervisors may or may not be able to keep that information private depending upon the severity of the problem discussed. A supervisor may insist the employee makes a written report and the supervisor in these cases will also make a report of the discussion.

SCOPE OF POLICY:

This policy supports the vision and expectations for workplace behaviors. The following categories of behavior will not be tolerated: sexual harassment, violence, theft, racial discrimination, and illicit drug use in the workplace. Employees who fail to formally report these behaviors or cooperate in workplace investigations are subject to disciplinary action themselves. Undesirable work behaviors include problems of attendance, performance, or conduct. Various steps are available to supervisors to address problematic behaviors.

CORRECTIVE STEPS: (Steps 1 and 2 are corrective and not considered disciplinary)***Step 1: Corrective Instruction or Training***

Step 1 is an informal directive to an employee and may include coaching or training. The instruction or training may be provided by the employee's supervisor or another employee authorized to provide the training. A certificate or record of completion of a training may be kept in an employee's personnel file.

Step 2: Counseling and verbal warning

Step 2 creates an opportunity for the immediate supervisor to bring attention to the existing performance, conduct or attendance issue. The supervisor discusses with the employee the nature of the problem or the violation of company policies and procedures. The supervisor describes expectations and steps the employee must take to improve his or her performance or resolve the problem.

Within five business days of meeting with the employee, the supervisor prepares written documentation of the verbal counseling. The employee is asked to sign this document to demonstrate his or her understanding of the issues and the corrective action. The employee will be provided a copy of the document and the original will be kept in a supervisory file. The employee may request the removal of the document within 12 months of issuance.

DISCIPLINARY STEPS:

The remaining steps are considered disciplinary. Supervisory documentation accompanying formal disciplinary action will be maintained in the employee's personnel file. Disciplinary reports may be removed from the personnel file at the employee's written request following completion of a subsequent Employee Performance Evaluation. For anticipated disciplinary steps, a supervisor meets with the employee to discuss the circumstances surrounding the problematic behavior. The supervisor documents the discussion with the employee including the details of the employee's undesired behavior, prior corrective instruction or training related to the behavior, circumstances surrounding the event, and impact of the event on the organization. Within one week, the supervisor meets with another supervisor or manager to determine the appropriate action. A supervisor and manager will meet with the employee to present any disciplinary decision. Except in cases of termination, employees will be asked to sign that they have received a copy of written expectations to achieve a satisfactory level of behavior. Additionally, the documentation may inform the employee that a continued failure of performance, conduct, or attendance may ultimately result in termination.

Step 3: Letter of Instruction

The Step 3 Letter of Instruction involves formal documentation of the performance, conduct or attendance issues and consequences. It is considered the least severe of the disciplinary steps. The Letter of Instruction will describe the problematic behavior and outline what item(s) the employee must do to reach a satisfactory level.

Step 4: Letter of Reprimand, Suspension, and/or Pay Reduction

The Step 4 Letter of Reprimand serves as a final written warning to an employee that termination is a next step if the problematic behavior is not corrected and sustained. Some behaviors are so problematic that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, a manager may suspend the employee pending the results of an investigation. Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee of wrongdoing.

Suspensions and/or pay reductions recommended as part of the progressive discipline policy and procedures are subject to review by a manager and Human Resources (HR).

An employee may be suspended without pay in full-day increments consistent with federal, state and local wage and hour employment laws. In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues and will be done in intervals of a week. Similarly, an employee may receive a temporary pay reduction in consequence of problematic behavior consistent with federal, state, and local wage and hour employment laws. Pay reductions will not result in an employee being compensated less than the governing minimum wage law(s) dictate. Employees may not substitute or use accrued paid vacation or sick day in lieu of the unpaid suspension or to supplement a pay reduction. HR will provide guidance to ensure that the discipline is administered without jeopardizing FLSA exemption status for salaried employees.

Step 5: Recommendation for termination of employment

The last and most serious step in the progressive discipline process is a recommendation to terminate employment. Generally, AMC will try to exercise the progressive nature of this policy by first providing corrective and less severe disciplinary measures before proceeding to a recommendation to terminate employment. However, AMC reserves the right to terminate employment without prior notice or disciplinary action.

Management's recommendation to terminate employment must be reviewed by Human Resources and Dr. Price or designee.

Appeals Process and Rebuttals

Employees can submit an appeal within five business days following receipt of any disciplinary documentation. The appeal is to dispute information management has used to issue disciplinary action and/or provide extenuating circumstances that may have contributed to the employee's performance, conduct, and/or attendance issues for reconsideration of the disciplinary action.

Similarly, an employee may submit in writing a rebuttal to any corrective or disciplinary action to be attached to paperwork of the event placed in their supervisory or personnel file. The written rebuttal shall be submitted within two weeks of the issuance of the corrective or disciplinary paperwork to the employee. The purpose of a rebuttal is for the employee to have a written explanation in their own words of the circumstances surrounding the corrective or disciplinary event available for any future reviewer.

Appeals Resolution

Appeal information provided by the employee will be reviewed by the Leadership Council as well as Human Resources. After a final examination of the findings is completed and a full review of the disputed claim has taken place by the Leadership Council, a decision will be made and forwarded to Human Resources. Human Resources will review the information. Upon verifying the process has been completed per company policy, Human Resources will file the findings as a permanent part of the employee's employment file. The employee will be informed of the decision regarding the appeal.