

## XXII. PERFORMANCE COUNSELING AND DISCIPLINE

### A. POLICY

It is AURA's hope and expectation that every employee will perform or act to the best of their abilities and in an acceptable business-like manner. However, in cases where work performance is unacceptable, it is AURA policy that prompt and appropriate action is taken. The range of these actions may extend from counseling to suspension or termination. Outlined below are the steps of our progressive performance counseling procedures. AURA reserves the right to combine or skip steps depending upon facts of each situation and the nature of the issue. The level of intervention may also vary. Some of the factors that will be considered depend upon whether the performance issue is repeated despite coaching, counseling and/or training, the employee's work record and the impact the conduct and performance issues have on our organization.

### B. PROCEDURE FOR DETERIORATING OR UNSATISFACTORY PERFORMANCE OR BEHAVIOR

1. Progressive counseling should be pursued to improve an employee's performance or behavior to expected standards. Failure on the employee's part to correct or improve performance or behavior to an acceptable level may result in termination. However, for serious misconduct, as described below, the progressive process is not appropriate and immediate suspension and/or involuntary termination may be imposed.

2. For employees who have completed their introductory period, a progressive counseling process will include the following:

#### a. Verbal Counseling

Discussions should be conducted in private. While more than one counseling session may be appropriate, prolonged oral counseling is not encouraged. Supervisors should attempt to make a written note of the date, time, and content of each session.

#### b. Written Counseling

Prior to actions beyond oral counseling, the Center Human Resources Manager must be contacted.

If oral counseling fails to produce the desired result, or if the substandard performance or behavior is considered so serious that oral counseling alone may not convey the degree of seriousness, a written warning or performance improvement plan should be developed and given to the employee. This documentation should be presented to the employee for signature acknowledging that the employee is aware of the issues. A copy will be provided to the employee and the original documentation will be maintained in the employee's personnel file. While more than one written warning may be appropriate, repeated written warnings are not.

c. Suspension

Where appropriate, or if previous actions have failed to produce the desired result, a suspension with or without pay, in partial or full-day increments, may be imposed upon exempt and non-exempt employees. The employee may not substitute accrued leave to offset an unpaid suspension. During this time, a review will be conducted to determine if the employee should be subject to additional disciplinary action, up to and including, termination.

d. Involuntary Termination

Where progressive counseling is appropriate, involuntary termination will usually occur:

- (a) if, after oral and written counseling, an employee does not meet the performance or behavior standards and expectations; and,
- (b) after a review has been conducted by the Human Resources Manager or a designee. Other circumstances where involuntary termination is appropriate are addressed below.

- 3. The procedure for involuntary termination will conform to the policy regarding Termination of Employment.

C. PROCEDURES FOR IMMEDIATE TERMINATION – SERIOUS MISCONDUCT

- 1. Employees may be immediately terminated for a number of reasons including inappropriate conduct, misconduct, or unacceptable work performance. Without listing all the acts or situations that may justify immediate termination, the following are examples that do: dishonesty, theft, fraud, threats or violence, illegal substance abuse or distribution, conviction of a felony or such other specific Center defined acts.
- 2. Where the Center determines that an act constitutes minor misconduct or where it determines that there are mitigating circumstances surrounding serious misconduct, suspension or counseling may be implemented.
- 3. The Center Director, or a designee, will investigate the facts surrounding the incident and review decisions to suspend or involuntarily terminate employees.
- 4. Written documentation summarizing the events leading up to the termination and describing the termination process will be prepared and placed in the employees personnel file.

*Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between AURA and its employees.*