



**Policy Title:** **Personnel: Corrective/Disciplinary Action**

**Policy #:** **06-001-0055**

**Effective Date:** 04/2/2025

**Approved by:** Telly Delor, Chief Operating Officer

**Functional Area:** Human Resources

**Responsible Leader:** Stephanie Shank, Human Resources Director

**Policy Owner:** Jody Kruskie, Labor/Employee Relations Manager

**Applies to:** SCCCMH Staff

**Purpose:** To set forth the responsibilities of staff related to job performance, actions to support improvement, and implementing disciplinary actions, when necessary.

### I. Policy Statement

It is the policy of St. Clair County Community Mental Health (SCCCMH) to adhere to consistent processes in order to address, document and take action as appropriate, any concerns regarding performance expectations, policy violations or employee actions that do not align with the mission and values of SCCCMH as well as establishing processes for follow-up related to corrective action, improvement opportunities or referrals for external supports such as the Employee Assistance Program (EAP)

### II. Standards

- A.** Training, counseling, guidance, and/or clarification of expectations to improve performance will be provided to any employee who is not performing to agency standards, except in circumstances warranting discharge. Employee deficiencies, as well as training needs, should be identified, addressed, and documented on the Employee Communication Memorandum, in a *timely manner* throughout the year as issues arise and at the time of their annual performance evaluation.
- B.** Per the Bullard-Plawecki Employee Right to Know Act (Act 397 issued in 1978), all records of disciplinary action must immediately be forwarded to Human Resources for inclusion in the employee's personnel files. Employee Communication Memoranda (ECM) also must immediately be forwarded to Human Resources for inclusion in the employee's personnel file.

- C. Supervisors will provide regular supervision to all employees (in accordance with [Administrative Policy #06-001-0020, Personnel: Supervision of SCCCMH Staff](#)) and promote a supportive work environment through coaching and encouraging employees. This might include providing regular communication, accessibility, clarification, feedback on performance and encouragement to the employees they supervise.
- D. Employees should keep regular and open communication with their supervisor. This includes reporting circumstances that may affect performance.
- E. Supervisory use of coaching techniques should be applied as appropriate and documented on form [#0702 Employee Communication Memo](#), to allow maximum communication and cooperation between the employee and supervisor. Some ideas are:
  - 1. Getting agreement that a problem exists.
  - 2. Mutually discuss alternative solutions.
  - 3. Try to agree on action to be taken to solve the problem.
  - 4. Follow up to ensure that action has been taken.
  - 5. Recognize any achievement as it occurs.
- F. In imposing any discipline on a current event, the Authority will not take into account any prior infractions which occurred more than three (3) years prior unless such prior infraction involves an intentional falsification of their employment application which has not been formerly disclosed in writing to the Authority or a discipline for a violation of the Harassment in the Workplace policy; a discipline for a substantiated Recipient Rights violation of Abuse: 1 or 2, and/or Neglect: 1 or 2; or a discipline for a substantiated Corporate Compliance violation of Fraud, Waste, and/or Abuse. *Employee Communication Memorandums* will not be included on an employee discipline report if the *ECM* was not directly related to the current disciplinary event.
- G. Employees are to be made aware of the Employee Assistance Program (EAP) and may access EAP should they desire. If referred for *job jeopardy*, attendance is mandatory. It is the intent of the Authority for EAP counseling to be supportive in nature and does not take the place of the disciplinary process.
- H. Employees may utilize the grievance procedure if they consider the discipline or discharge inappropriate or improper other than discipline received during the employee's probationary period. Discipline or discharge shall remain in force until the grievance procedure is completed. See union contract for grievance procedure.
- I. When imposing a suspension or discharge or conducting a "job jeopardy" meeting, the Authority agrees to give written notice to the Union, within two (2) business days of the action and prior notice if possible. However, the name of the employee will be

released only with the employee's consent. Such notice shall include the action to be taken and the reasons for such action.

- J. Employees shall only be disciplined when just cause exists. When discipline is imposed, the Authority will cooperate in the Union's effort to determine the facts and in its effort to effectively represent a bargaining unit member, if the employee has consented. Notice of all written discipline shall be forwarded to the Union Chairperson and staff representative (if applicable). However, the name of the employee will be shared only with the employee's consent.
- K. Employees may submit a written request to the Labor/Employee Relations Manager to remove any Employee Communication Memorandum (or previously used form [#0601 Opportunity for Improvement Plan](#)) containing what they perceive as unfavorable or detrimental information from their personnel file which are dated more than three (3) years prior to the current date. If there have been zero unfavorable contact notes or disciplinary action in the last three (3) years, the Labor/Employee Relations Manager will remove these Employee Communication Memorandums or Individual Supervision Forms, which were opportunity for improvement.
- L. If an employee receives written discipline or opportunity for improvement as a result of a substantiated Recipient Rights complaint, a copy will be provided to the Office of Recipient Rights as evidence of completed remedial action.
- M. If an employee receives a written discipline or opportunity for improvement as a result of a substantiated Corporate Compliance Complaint, a copy will be provided to the Corporate Compliance Office as evidence of completed remedial action.

### III. Procedures, Definitions, and Other Resources

#### A. Procedures

##### Responsibilities

Position	Responsibilities
Supervisor	Provide regular supervision, coaching, and corrective/disciplinary action as provided for in policy and procedures
HR Designee	Support supervisors and facilitate corrective/disciplinary action prescribed in policy and procedures
Chief Executive Officer	Provide final decision for terminations

##### Actions – The Preliminary Process

Action Number	Responsible Stakeholder	Details
1.0	Supervisor	1. Investigate the issue(s) and analyze all the facts, upon

Action Number	Responsible Stakeholder	Details
		<p>becoming aware of an issue that needs addressing within their area of supervision/management. If the level of infraction is unclear or for any recommended suspension/discharge, the supervisor should immediately consult with an HR designee.</p> <ol style="list-style-type: none"> <li>2. Consult with their supervisor to determine the severity of the issue. If it is initially determined that the issue has the potential for a recommendation of written reprimand (discipline), discipline with suspension, or discipline with termination, proceed to Section B: Discipline: Reprimand-Suspension or Step C: Discipline: Termination.</li> <li>3. For all issues initially determined to warrant a recommendation of a verbal consultation/discussion, interview the employee, in a timely manner, to obtain the employee's point of view and to ascertain if there are any extenuating circumstances. (There may be circumstances that are "de facto" and do not require or warrant an interview, but a supervisor should consult with a human resource designee before deciding not to interview an employee).</li> <li>4. Obtain any other information from all sources possible with witness statements, etc. as necessary.</li> <li>5. Determine one of the following action steps, based on the information obtained:               <ol style="list-style-type: none"> <li>a. Incident warrants no further action; stop process.</li> <li>b. Incident only warrants a verbal consultation/discussion. Supervisor documents on form <a href="#">#0702 Employee Communication Memo</a>. Refer to <a href="#">Administrative Policy #06-001-0020, Personnel: Supervision of SCCCMH Staff</a>.</li> <li>c. Incident warrants written reprimand or suspension. Go to Section B. Discipline: Reprimand-Suspension.</li> <li>d. Incident warrants termination. Go to Section C. Discipline: Termination.</li> </ol> </li> </ol>

### Actions – Discipline: Written Reprimand – Suspension

Action Number	Responsible Stakeholder	Details
1.0	Supervisor	<ol style="list-style-type: none"> <li>1. Categorize the level of infraction to determine the level of discipline recommended.</li> </ol>

Action Number	Responsible Stakeholder	Details
		<ol style="list-style-type: none"> <li>Document all disciplinary action on form <a href="#">#0703 Employee Discipline Report</a>.</li> <li>Forward to the HR designee for review.</li> </ol>
2.0	HR Designee	<ol style="list-style-type: none"> <li>Provide written notification of upcoming meeting to Union, consistent with Union contract.</li> <li>If the HR Designee determines that a recommendation of suspension is warranted, provide written notification of upcoming meeting to Union, consistent with Union contract.</li> </ol>
3.0	Supervisor	<ol style="list-style-type: none"> <li>Schedule a meeting with the employee, informing them of the need for a disciplinary meeting and that they have the option of including Union representation.</li> <li>Administer discipline privately and confidentially.</li> <li>Forward original documentation to HR for filing.</li> <li>Provide written notification to Union of the meeting outcome/level of discipline.</li> <li>Monitor any disciplinary opportunity for improvement plan when an employee transfers into your supervision from another program, adhering to timeframes as stated in the opportunity for improvement plan.</li> <li>When imposing current discipline, does not take into account infractions older than three (3) years unless such prior infraction involves an intentional falsification of their employment application which has not been formerly disclosed in writing to the Authority or a discipline for a violation of the Harassment in the Workplace policy; a discipline for a substantiated Recipient Rights violation of Abuse: 1 or 2, and/or Neglect: 1 or 2; or a discipline for a substantiated Corporate Compliance violation of Fraud, Waste, and/or Abuse. Employee Communication Memorandums will not be included on the Employee Discipline report if the ECM was not directly related to the current disciplinary event.</li> <li>Post discipline, document follow-up and completion of an opportunity for improvement plan on Employee Communication Memorandum and forwards to HR.</li> </ol>

### Actions – Discipline: Termination

Action Number	Responsible Stakeholder	Details
1.0	Supervisor	<ol style="list-style-type: none"> <li>Meet with HR designee to discuss recommendation.</li> </ol>

Action Number	Responsible Stakeholder	Details
		2. Complete form <a href="#">#0703 Employee Discipline Report</a> as directed by HR designee.
3.0	HR Designee	3. Conduct a thorough review of reports, subject matter expert feedback, interviews, witness statements etc. and present finding to Chief Executive Officer or their designee.
4.0	Chief Executive Officer/Designee	4. Review documents, research and follow-up collected by HR Designee. 5. Determine if discharge is warranted. 6. At the discretion of the CEO, an employee may be demoted in lieu of discharge. If an Employee is demoted with cause, they shall be placed at a lower-level classification that does not result in an increase in the employee's pay.
5.0	HR Designee	7. Notify employee of the determination and schedules meeting. 8. Provide written notification to Union, consistent with Union Contract. 9. Issue discharge, if still warranted.
6.0	Chief Executive Officer	10. Advise the SCCCMH Board or its Chairman, as appropriate, of the discharge of an employee.

## B. Related Policies

[Administrative Policy #06-001-0020, Personnel: Supervision of SCCCMH Staff](#)

## C. Definitions

1. *Deficiency*: Lacking in something necessary; not up to a standard.
2. *Demotion*: The reassignment of an employee to a lower-level classification of less responsibility and a lower wage scale.
3. *Employee Communication Memo (ECM)*: Document used to record opportunities for improvement between staff and supervisor. ECMs are not disciplinary in nature, rather a standard format to address opportunities for improvement or to issue accolades or progress improvements.
4. *Job Jeopardy*: Occurs when an employee's continued employment is at risk based on the employee's actions, activities or deficiencies that require some form of corrective action.
5. *Supervisor*: Includes Chief Executive Officer, Chief Operating Officer, Medical Director, Directors, Assistant Directors, Supervisors, Managers and Labor/Employee Relations Manager.

6. *Timely Manner*: Appropriate or adapted to the times or the occasion; occurring at a suitable or opportune time.

**D. Forms**

[#0601 Opportunity for Improvement Plan](#)

[#0702 Employee Communication Memo](#)

[#0703 Employee Discipline Report](#)

**E. Other Resources** (i.e., training, secondary contact information, exhibits, etc.)

Union Contract

**F. References**

1. CARF Human Resources 1.I.8

## IV. History

- Initial Approval Date: 02/1986
- Last Revision Date: 02/2025 BY: Kim Prowse
- Last Reviewed Date:
- Non-Substantive Revisions: N/A
- Key Words: Discipline, Suspension, Termination, Employee Communication, ECM, Corrective Action, Improvement