



## Corrective Action Policy

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### PURPOSE

This policy was established to ensure consistency and fairness of counseling and corrective action measures and to provide for a mechanism and opportunity for an employee to correct a work-related problem.

### POLICY

The General Church and the Academy of the New Church provide for a progressive system of corrective action which may be used for employees who experience certain work-related problems. Such problems are generally characterized as performance, behavior and/or attendance-related issues. This policy also provides for acceleration of the corrective action process depending on, among other factors, the nature, frequency and severity of the violations and the history of the employee's work-related problems.

Employment with the Church and Academy is "at will", that is, either party can terminate the employment relationship at any time, for any or no reason, with or without prior notice. However, we cannot terminate an employee for an illegal reason (for example, because of his or her age, sex, or race or membership in any other protected group). The failure to follow the process described below without appropriate justification and documentation may be viewed by an employee as evidence of bias or other wrongful conduct and that could lead to a claim. Even if we prevail, the cost of defense can be substantial. Independent of legal risk, following the process is important to ensuring fairness which is an important value of our organizations.

The goal of both **Corrective Action** and **Corrective Counseling** is to preserve employment by turning around unsatisfactory job performance and/or unacceptable behavior and/or attendance related issues. Please keep that in mind at all times.

### CORRECTIVE ACTION AND CORRECTIVE COUNSELING PROCESS

The **Corrective Action** and **Corrective Counseling** process may include some or all of the following steps:

1. Verbal warning: This consists of a discussion with an employee that clearly states a problem exists, clarifies the minimum expectation(s) and outlines the consequences of not correcting the problem. A written confirmation of the verbal warning should be given to the employee with a copy to HR.
2. Written warning: This consists of a formal memo to the employee, with a copy to HR, that addresses the problem with the employee's performance and/or behavior and/or attendance, clarifies minimum expectations and sets forth the consequences of on-going unsatisfactory performance and/or behavior and/or attendance. The supervisor should make clear that a written warning is more serious than a written confirmation of a verbal warning
3. Final written warning: This document, which is given to the employee with a copy to HR, should include all the same items as a written warning but should clearly state that on-going unsatisfactory performance and/or behavior and/or attendance will result in immediate termination without further warning. It is important to state expressly "this is your final warning."



4. Discharge or termination: All discharges or other terminations must be reviewed by HR in advance. HR will work with you on the content of the termination notice that may vary depending on the circumstances

In conjunction with any step of Corrective Action and Corrective Counseling as described above, it may be appropriate to provide an employee with a Performance Improvement Plan ("PIP"). The PIP will establish a specific period of time in which the employee will be coached to improve and his or her performance monitored. Employees will be expected to make adequate improvement during the PIP and to sustain adequate performance after the PIP. HR will work with you in developing the terms of the PIP.

At any time prior to or between the steps described above, supervisors can and should provide employees with informal coaching. While you are not required to document each and every informal coaching session, you may want to keep some documentation in your personal files that confirm that coaching has been provided.

Under no circumstances may you suspend an employee without pay without checking with HR first (even during an investigation of potential wrongdoing). In no case will HR approve an unpaid suspension for an exempt employee inconsistent with the salary basis requirement of the FLSA.

Most employee issues that require corrective action involve a variety of factors that differ with each situation. The HR professional and the manager/supervisor should carefully consider all of these factors prior to deciding on an appropriate response. In the end, the response should be both fair and consistent with the way in which other similarly situated employees have been treated in the organization.

It is important when facing an employee issue that may require corrective action or termination to afford the employee appropriate **due process**.

**Due process** within the context of corrective action is essentially a process that involves the supervisor/manager, HR and frequently the employee for whom corrective action is being considered. Specifically, it can be viewed as a process by which the following factors ordinarily are considered:

1. The performance/behavior/attendance standard has been established and communicated to the employee.
2. The performance/behavior/attendance problem has been established by credible evidence.
3. The employee is informed that his performance and/or behavior and/or attendance does not meet standards.
4. The employee is given an opportunity to present his viewpoint.
5. Corrective action is imposed that is fair and consistent with other similarly situated employees.
6. Communication of expected standards is repeated.
7. The consequences of failing to meet expected standards are communicated.



8. Appropriate action is taken if standards continue to not be met.

Because unsatisfactory job performance and/or behavior and/or attendance have different levels of seriousness, a manager/supervisor may decide that a level of corrective action different from that which normally would apply under the Steps described above would be more appropriate. Corrective Action may be initiated at an intermediate level or a step of Corrective Action may be bypassed.

Circumstances which may impact on such a decision include, but are not limited to:

- The severity of and conditions under which the substandard performance and/or behavior and/or attendance occurred;
- Whether the unacceptable behavior, performance and/or attendance violated more than one rule, policy or expectation;
- The quality of the individual's overall job performance;
- A demonstrated willingness to make improvements in job performance or behavior as needed; and
- The employee's position

You may skip one of the steps set forth above only if you have consulted with and received permission from HR first. The reason for skipping the step must be documented.

Exempt employees may be suspended without pay only in full day increments and only for violations of workplace conduct policies applicable to all employees and only if approved in advance by HR.

The Church and Academy will not follow the Corrective Action and Corrective Counseling process discussed above when the Church or Academy is of the opinion that remedial efforts are unlikely to be successful. For example, [where a negative attitude has been demonstrated or where personality conflicts are present, or] when an employee has engaged in misconduct which falls so far below the expectations of the Church or Academy that employment cannot be continued.

Examples of conduct which **may** be cause for immediate discharge include, but are not limited to:

- Any material violation of any core teaching of the General Church of the New Jerusalem.
- Violations of the provisions of any of the following policies:
  - Equal Employment Opportunity
  - Respecting Confidentiality
  - Conflicts of Interest
  - Substance Abuse
  - Preventing Workplace Violence
- Verbally or physically harassing, coercing, intimidating or threatening a member of the clergy, Church member, student, supervisor or co-worker, or visitor to the Church or Academy.



- Theft, including misappropriation of the property of the Church or Academy or any individual with whom an employee works or interacts with in the course of performing job duties.
- Dishonesty, including willful falsification of any pay, time, business expense or employment record (including, but not limited to, recording another employee's work time or permitting another employee to record your work time).
- Deliberate damage to or destruction of property belonging to the Church or Academy or to any of its clergy, students, members, supervisors, employees or visitors.
- Insubordination, which is defined as refusal to obey a supervisor's instructions or willful disobedience when directed to perform work.
- Possession of a firearm (except where required by position/function, i.e. Security) or other deadly weapon, including the conversion or threatened conversion into a weapon of any tool or other object common to the workplace.
- Unethical or illegal conduct in the course of employment.
- Reckless disregard for or willful violation of any safety or security rules.
- Participation in a fight or other physical altercation on the premises of the Church or Academy except as reasonably necessary in self-defense under circumstances in which the employee cannot withdraw safely from the situation.
- Gross neglect of duties or job responsibilities.
- Gambling or loan-sharking while on the premises of the Church or Academy.
- Absence from work for two (2) consecutive days without notice.
- Obtaining other employment during a Leave of Absence without authorization.
- Other serious misconduct.

#### **AUTHORITY**

- The Director of Human Resources has the authority to change, modify or approve exceptions to this policy at any time with or without notice.