

Deciding Appropriate Discipline Checklist

ITEMS TO CONSIDER WHEN CHOOSING APPROPRIATE DISCIPLINE	
<input type="checkbox"/>	Employee's employment status (regular or probationary)
<input type="checkbox"/>	Length of employment
<input type="checkbox"/>	Work performance history
<input type="checkbox"/>	Prior performance counseling (Has employee been counseled about the issue before?)
<input type="checkbox"/>	Prior disciplinary action (Have there been prior disciplinary issues with the employee? Were the prior disciplinary or performance issues related to the issue at hand – e.g., Is this a recurrence of a same/similar offense; OR do the offenses stem from a continuing root cause such as failing to apply sound judgment in professional matters, failure to discern and apply professional boundaries in various interactions, or failure to follow county policy in two instances even though the offenses and policies may differ.)
<input type="checkbox"/>	Time elapsed since prior disciplinary action or counseling
<input type="checkbox"/>	Nature and severity of the offense
<input type="checkbox"/>	Are there any extenuating circumstances to consider?
<input type="checkbox"/>	Was a thorough and complete investigation conducted? Are all of the relevant facts related to the issue clearly known? Has the employee been provided opportunity to share relevant information from his/her perspective regarding the issue or incident for which disciplinary action is being considered?
<input type="checkbox"/>	Was there malice on the part of the employee?
<input type="checkbox"/>	Employee's performance based on the most recent documented performance evaluation, and review of prior recent years' documented performance record.
<input type="checkbox"/>	Can the supervisor clearly demonstrate the employee was aware of rule, expectation, and consequences?
<input type="checkbox"/>	Was there a violation of a written policy?
<input type="checkbox"/>	Consequences imposed on other employees who had a similar infraction were comparable; or if a different level of disciplinary action is imposed, it is justified by the specific circumstances and the reason can be clearly explained – e.g., A higher level of disciplinary action may be imposed in the case of a second or third offense for which the employee in question has already received a lower level of progressive discipline; whereas a coworker who engaged in the same behavior as his/her initial offense may receive a lower level of disciplinary action.

<input type="checkbox"/>	Have additional factors that could influence the case, or be perceived to have influenced the disciplinary action, been reviewed? For example, could the disciplinary action be perceived as retaliation for the employee having recently exercised FMLA rights, filed a worker's compensation claim, or is the employee a member of a protected class, etc. Ensure that documentation of appropriate facts clearly support the disciplinary action being considered; and that disciplinary action is applied with consistency and fairness across the organization.
<input type="checkbox"/>	Is there a pending criminal investigation or other proceeding related to the incident that should be concluded prior to determining appropriate action from an employment perspective?
<input type="checkbox"/>	What is the lowest level of discipline that would effectively address the situation?