



ST. JOSEPH HOSPITAL

Original: 06/1978
Review: 01/2016
Next Review: 01/2019
Policy Champion: Wesley Layne: Director of
Human Resources
Policy Area: HR - Employment
Applicability: Nashua St. Joseph Hospital

Rules of Conduct and Discipline, HR-26

PURPOSE:

To list the principle reasons for which an employee may be disciplined. Such a list cannot be all inclusive.

POLICY:

It is the policy of the Company to discipline an employee whenever they violate a policy, rule, regulation, or perform unsatisfactorily. In each instance, the disciplinary action to be taken is to be just, and in proportion to the seriousness of the violation. Discipline is to be administered privately, out of sight and sound of the employee's co-workers. Discipline will be administered by the employee's supervisor as soon as it is practical.

By adopting this policy, the Company is not seeking to limit the free flow of communication or any of the legal rights held by its employees or restrict employees from discussing their wages, hours and working conditions with co-workers and others while not at work. Rather, this policy is intended to protect the Company's legitimate interest in the confidentiality of its proprietary information. Additionally, nothing herein should be construed to prohibit communications which would be permitted under applicable law, including but not limited to the National Labor Relations Act.

PROCEDURE:

1. Violation of certain rules, including but not limited to the following, will be considered adequate justification for discharge for the first offense. An employee who is discharged will receive final pay within 72 hours of their release or in accordance with State Requirements.
 - a. Unauthorized use of liquor on Company premises and/or drunkenness, in violation of the Company's Drug and Alcohol Policy;
 - b. Abuse or inconsiderate treatment of patients.
 - c. Verbal and physical threats of violence that lead to the fear of physical harm. The aforementioned behaviors undermine team effectiveness and may, in certain situations compromise patient care, and patient safety.
 - d. Theft of Company property, property of an employee, patient or visitor;
 - e. Unexcused absence from work for three (3) consecutive days without notification to the employee's immediate supervisor;
 - f. Willful destruction of Company property;

- g. Unauthorized use of drugs;
 - h. Unauthorized release of patient **confidential** information, confidential proprietary Company information to which the employee is exposed during the performance of his/her job responsibilities, or **to include sharing of** employee identification numbers and passwords;
 - i. Unauthorized possession of weapons;
 - j. Falsification of patient and/or Company records;
 - k. Illegal gambling or bookmaking on Company premises;
 - l. Solicitation of tips or gratuities from patients, visitors, or Company vendors;
 - m. Physical altercations;
 - n. Leaving the Company premises without permission during working time (including the time during which an employee is actually scheduled to work but not including scheduled rest periods, meal breaks and other specified times when the employee is not expected to be working);
 - o. Falsification of employment application/medical questionnaire, (this includes omissions of pertinent information)
 - p. Threats of violence leading to fear of physical harm;
 - q. Failure to maintain license/certificate required by position.
 - r. Any gross violation of Company policy or protocol.
2. Certain other rule violations, including but not limited to the following, will be cause for disciplinary action prescribed in Section 3 below. Management reserves the right to advance disciplinary action to termination of employment, with prior approval by Director of Human Resources.
- a. Absence from your assigned work area during working hours;
 - b. Insubordination (deliberate, inexcusable refusal to obey a reasonable order relating to an employee's job function);
 - c. Sleeping or loafing on the job;
 - d. Inefficiency/failure to do the amount and quality of work expected (as explained to you);
 - e. Unreasonable unexcused tardiness and/or early departing;
 - f. Horseplay, practical jokes or other acts discourteous to the patients or the public;
 - g. Use of harassing, discriminatory or maliciously false language;
 - h. Continual abuse of breaks or rest periods:
 - i. Refusal to work assigned schedule;
 - j. Violation of safety rules and regulations; Non-cooperation with an ongoing employer initiated investigation as related to other policies including falsifying or withholding information with an ongoing employer initiated investigation.
 - k. Any infraction of official Company policies and procedures.
3. All reasonable steps should be taken prior to the discharge of an employee in order to determine objectively that the employee has been given opportunity to correct a deficiency. Consultation with Director of Human Resources required for items delineated, in #3.

Employees on introductory status whose performance is unsatisfactory should be terminated if they fail to

demonstrate ability or desire to perform at an acceptable level.

Disciplinary situations involving employees who have completed their introductory period should be dealt with by progressive discipline. The following guidelines are suggested.

At any time during this process, as the situation warrants a one to five day unpaid suspension may be used, with prior approval by the Director of Human Resources.

At any time during the process it may be advisable to initiate an Action Performance Improvement Plan. Any Plan must be reviewed and approved **prior to** issuing. Review and approval to be conducted by Supervisor; Supervisor's Supervisor; and/or Leadership Council Member; area Director of Human Resources.

Depending on the circumstances of the situation and with prior approval by the Director of Human Resources, steps may be omitted.

Step 1 - Discussion:

When a performance problem is first identified, the problem should be thoroughly discussed with the employee. Bringing the problem to the attention of the employee is often enough to prompt them to correct it willingly. The supervisor should document this discussion.

Step 2 - Discussion:

If a private informal discussion with the employee has not resulted in corrective action, following a thorough investigation, the supervisor should meet with the employee and (a) review the problem, (b) permit the employee to present their views on the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include discharge, and (e) document the counseling session as a verbal warning, using the employee warning form available in Human Resources.

Appropriate signature authorities, as noted on form, must be obtained **prior to** issuing to employee.

Step 3 - Written Warning/Final Written Warning:

The written warning will specify the disciplinary issues and the next course of action to be taken if the situation is not corrected. The written warning must be reviewed and signed **in advance** as specified on the Employee Warning Notice.

Step 4:

If the above steps are taken without success in correcting the situation, termination from employment may occur. The supervisor's supervisor, the Leadership Council member, and Director of Human Resources must be consulted when making this decision.

*NOTE*Certain approvals are required prior to issuing a verbal or written warning. These are denoted on the Employee Warning Notice by:

V = required for verbal
W = required for written

In all applications of the disciplinary process it is important to take into consideration:

- a. The seriousness of the offense
- b. The employee's past record; and
- c. The circumstances of the particular case.

RESPONSIBILITY:

All supervisors

Attachments:

No Attachments

Approval Signatures

| Committee | Approver | Date |
|---------------------------------------|--|---------|
| Senior Leadership Team (on behalf of) | Shirley Lussier: Director of Human Resources | 01/2016 |
| | Shirley Lussier: Director of Human Resources | 01/2016 |

COPY