

Employee Challenges: Part 2



DECAL
Thriving Child Care
Business Academy

Learn how to handle low-performing employees and persistent negative behavior

Sometimes when addressing a difficult or low-performing employee, performance plans do not provide the results you were hoping for. In these cases, it can be challenging to implement disciplinary policies or to recognize when your efforts have run out and termination is the appropriate next step. This guide will help you determine best practices when you need to enforce disciplinary measures, and how and when to prepare to let an employee go.

What is progressive discipline?

“Progressive discipline” is a common HR concept that outlines how to manage an employee challenge. More specifically, it is a method of discipline that implements a series of consequences that become increasingly severe with the persistence of unacceptable behavior or performance. Using this approach provides the opportunity for change and improvement, rather than terminating the employee. The goal of progressive discipline is to help the employee understand the severity of their actions and to provide them with opportunities to improve before termination becomes necessary. It can boost employee morale to witness that opportunity and know that minor infractions will not immediately result in termination. It also lets other employees know that issues will be addressed, not ignored, and such issues will be mitigated quickly to maintain a healthy work environment and high quality of work. As the employer, you benefit from this method by improving employee retention by not immediately terminating employees; and providing opportunity for improvement prior to termination can serve as a liability precaution.

Here are the five common steps of progressive discipline:

- 1. Verbal warning:** The first step is usually a verbal warning. The employee is informed of the issue and what is expected to change in their behavior or performance.
- 2. Written warning:** If the behavior or performance does not improve, a written warning may be issued. This document outlines the issue, consequences if the issue is not resolved, and a plan for improvement.

- 3. Suspension:** If the behavior or performance continues to be unacceptable, a suspension may be issued. This means the employee is suspended from work for a specified period, usually without pay.
- 4. Demotion:** If the issue persists, the employee may be demoted to a lower position, which often involves a decrease in pay and job responsibilities.
- 5. Termination:** If the employee's behavior or performance does not improve through the previous steps, termination may be necessary.

What mistakes are commonly made in implementing a progressive discipline policy?

Implementing a progressive discipline policy can be a sensitive and complicated process. There are a few common mistakes that are often made when implementing progressive discipline policies.

One of the biggest mistakes an employer can make is failing to apply the policy consistently for all employees. It is important to apply the policy fairly and consistently to all employees, regardless of their position or seniority. These policies can be made known to your employees by sharing them in your employee handbook.

A key piece in effectively implementing this policy is documenting each step of the disciplinary process. Without adequate documentation, it can be difficult to prove that the disciplinary action was necessary or justified. Keep detailed records of all disciplinary actions taken, including warnings, suspensions, and termination. Be sure to follow the exact policy outlined in the employee handbook and take each step of the progressive discipline process in a timely manner.

Discipline should be used to correct behavior or performance issues, not to punish employees. As discussed in Part 1 of this guide, the first step before taking disciplinary action is to allow the employee to have an open conversation about their behavior and to work collaboratively to determine a solution. Employers should take the time to identify and address the root cause of the issue, rather than simply disciplining the employee. Communicate clearly and consistently with the employee about their behavior and the steps being taken to address the issue. Be proactive in your approach to addressing performance or behavior issues to mitigate the need for discipline and prevent a low-performing employee from impacting coworkers.

Remember that it's important to address performance issues promptly to prevent their potential negative impact. Work with the employee to identify the root cause of the issue to best inform the creation of their improvement plan and set a clear path forward. Define expectations, provide opportunities for training, and monitor progress toward achievable goals to help ensure that the low-performing employee does not impact their coworkers and is given a chance for improvement. Continue to check in with the employee to determine if disciplinary action is necessary. Your efforts, while well-intended, may not reap the benefits you hope for, and further warnings or termination may be the appropriate next step.

What should I do when an employee is not responding to disciplinary action?

Letting an employee go is never easy, but there are steps you can take to make the process as respectful and professional as possible. First and foremost, make sure you have all the necessary documentation and have consulted with HR or legal counsel. Second, you should also have a clear understanding of the reasons for termination and be prepared to explain them to the employee.

The amount of evidence required to terminate an employee depends on the circumstances of the situation and the laws and regulations that apply in your specific region. In general, termination should be based on legitimate reasons and supported by evidence.

This evidence should include clear documentation of any performance or behavior issues, and any warnings or disciplinary actions that have been taken. This documentation should be objective and based on specific incidents or behaviors.

The process taken for disciplinary action and termination should be clearly documented and should be a codified process within your organization. This process should include clear expectations and consequences, and it should be communicated to all employees. It is also important to follow all applicable laws and regulations, including those for discrimination and wrongful termination. This highlights the importance of consulting HR or legal counsel to ensure you have sufficient evidence for termination.

Once you are sufficiently prepared, schedule a private meeting with the employee and let them know that the purpose of the meeting is to discuss their employment status. During this meeting, be direct and clear about the reasons for termination. It's important to be respectful and professional throughout the process, even if the employee becomes upset or emotional.

Let the employee know what the next steps are, including any final pay, benefits, or other information they need to know. If possible, provide information on resources that may be available to them, such as outplacement services or unemployment benefits. If the employee's work needs to be reassigned or covered, have a plan in place for transitioning their work to other employees. This can help to minimize disruption to the organization. Keep in mind that termination can be unsettling for other employees. Be sure to follow up with other team members to address any concerns or questions they may have.

Remember to be empathetic and respectful throughout the termination process. While it's important to be clear about the reasons for termination, it's also important to treat the employee with respect.

It is a challenge to know when and what steps to take to address a difficult employee. When those steps are necessary, you now have the tools and information you need to handle this situation with knowledge and professionalism.

Additional Resources

If you have questions or need help, assistance is available.

[GaPDS Website](#)

[DECAL Thriving Child Care Business Academy Website](#)

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