

UNION PROPOSAL
ARTICLE 5 – CORRECTIVE ACTION

A. Just Cause.

No Nurse shall be issued a corrective action without just cause.

B. Conduct and Performance.

Nurses are expected to comply with Legacy Health policies for conduct and performance. Nurses are responsible for knowing the rules and standards for individual behavior. Nurses will be provided with a complete copy of the Legacy Health policies pertaining to conduct and performance within fourteen (14) days of their start date. All nurses will be notified via their work email and home address on record within twenty-four (24) hours of any additions to or revisions of Legacy Health policies.

C. Personnel File.

Upon request, Nurses will be permitted to access their own personnel file. Before any evaluative or disciplinary material may be placed in a Nurse's personnel file, they shall receive a copy. A Nurse has the right to attach a response to any evaluative or disciplinary material. A Nurse's drug diversion score will be kept on file in the personnel file.

D. Corrective Action.

Corrective action can be based on a single incident or continued instances of conduct or performance in violation of the provisions of this Agreement or Legacy Health policies. Separate progressive corrective actions are not required for each issue or incident. Depending on the severity of the incident, any step, including termination, may be an appropriate first action. Progression through each of the corrective action steps is not automatic or required. In determining the appropriate corrective action step, the Hospital will consider the severity of the offense, the number of prior offenses, the time period between offenses, and all other relevant criteria.

E. Documented in Writing.

All levels of corrective action shall be documented in writing and retained in the personnel file. Nurses shall receive a copy of a corrective action after signing the document indicating receipt of a copy.

F. Coaching:

The manager or supervisor shall meet with the Nurse to describe the problem or issue and expectations. This discussion may be documented. If documented, the completed form shall be retained in the unit file for the Nurse as a reference. Discussion notes are not corrective actions and are not sent to Human Resources to be placed in the Nurse's Human Resources file and are not subject to the grievance procedure. A copy of the note is given to the Nurse.

1 **G. Corrective Action Steps:**

- 2 1. **Documented Verbal Corrective Action.** A corrective action discussion may
3 be used within 30 days of a specific incident or after a limited period of time
4 during which conduct does not meet expectations.
5
6 2. **Written Corrective Action.** This action can address either a specific incident
7 that calls for immediate attention or an overall concern about performance or
8 conduct that includes more than one issue or problem. Written Corrective
9 Action is more serious than a Documented Verbal Corrective Action.
10
11 3. **Final Corrective Action.** Final Corrective Action may or may not be given
12 before termination of employment. If it is given, it shall clearly and concisely
13 describe problem areas, performance expectations/standards, and necessary
14 actions for the Nurse to meet expectations. The Final Corrective Action states
15 that termination will follow if a Nurse does not correct the problem identified in
16 the Final Corrective Action.
17
18 4. **Termination.** Termination may occur when corrective action has not resulted
19 in sufficiently improved performance or conduct or when problems are of a
20 serious nature. Notification of termination shall be in writing and shall
21 document the reason(s) for termination.
22

23 H. **Investigatory Suspension.** An investigatory suspension may occur when safety
24 or security concerns indicate that a Nurse must be removed from the workplace
25 when an investigation into possible corrective action is needed. Investigatory
26 suspension is a paid suspension. Investigatory suspension can last no longer
27 than 30 days.
28

29 I. **Removal of Corrective Actions.** Corrective actions shall be removed from the
30 personnel file two (2) years after being issued and shall not be considered in
31 future progressive discipline.