

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 within fourteen (14) days of their start date. All nurses will be notified 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. Nurses shall receive copies of any evaluative or disciplinary material placed in their personnel file and shall have an opportunity to attach a response.

D. Corrective Action.

Corrective action can be based on a single incident, or continued instances, and/or overall performance or conduct 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 any all other relevant criteria.

E. Documented in Writing.

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

F. Corrective Action Options Coaching:

1. Coaching. The manager or supervisor meets shall meet with the Nurse to describe the problem or issue and expectations. This discussion may be documented. If documented, the completed form should shall be retained in the unit file for the Nurse as a reference if needed. 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.

G. Corrective Action Steps:

1. **Documented Verbal Corrective Action.** A corrective action discussion may be used following a specific incident or after a period of time during which conduct, or performance does not meet expectations.
2. **Written Corrective Action.** This action can address either a specific incident that calls for immediate attention or an overall concern about performance or conduct that includes more than one issue or problem. Written Corrective Action is more serious than a Documented Verbal Corrective Action.
3. **Final Corrective Action.** Final Corrective Action may or may not be given before termination of employment. If it is given, it ~~should~~ **shall** clearly and concisely describe problem areas, performance expectations/standards, and necessary actions for the Nurse to meet expectations. The Final Corrective Action states that termination will follow if a Nurse does not correct the problem.
- ~~4. **Suspension Preceding Final Determination.** Suspension may occur when safety or security concerns indicate that a Nurse must be removed from the workplace, or when an investigation is needed. Suspension may occur with or without pay, depending on the nature of the concern or investigation.~~
5. **Termination.** Termination may occur when corrective action has not resulted in sufficiently improved performance or conduct or when problems are of a serious nature. **Notification of termination shall be in writing and shall document the reason(s) for termination.**

~~H. **Letter of Explanation.** As an alternative to the grievance procedure, a Nurse subjected to discipline will be permitted to submit a letter of explanation to their personnel file and explain how the Nurse believes a discipline is either inaccurate, fails to account for an important circumstance, or fails to meet the just cause standard.~~

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

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