



TITLE

Behavior of Employees (Discipline/Discharge)

POLICY

It is the policy of the Medical Center that rules, regulations, and procedures regarding employee behavior are necessary for the efficient operation of the Medical Center, and for the benefit and protection of the rights and safety of all. Conduct that interferes with operations, brings discredit on our Medical Center, or jeopardizes the safety of a person in the Medical Center shall not be tolerated.

PROCEDURE

- A. In any group of employees, variances in work behavior and violations of rules do occur. These shall be resolved properly to constructively correct the total situation in a reasonable, consistent manner throughout the Medical Center. True discipline is designed to "teach" while at the same time "correct". Good discipline shall be preventative, not punitive, and treat all employees alike.
- B. No disciplinary action or formal investigation that may lead to disciplinary action shall be taken before the supervisor contacts Human Resources. No employee shall be discharged immediately without formal investigation. If the supervisor assesses that immediate action shall be taken, the supervisor shall suspend the employee without pay pending formal investigation. The procedure outlined in this policy generally shall be followed when it is necessary to impose discipline. However, the Medical Center reserves the right, in its sole discretion and judgment, to impose any form of discipline it deems appropriate under the circumstances and not every situation shall result in the imposition of progressive discipline prior to discharge.
- C. Prior to any disciplinary action being taken, the following questions shall be asked and answered:
 1. Was the employee adequately warned of the consequences of his/her conduct? The warning may be given orally or in printed form. Exceptions may be made in certain serious conduct.
 2. Was the policy or procedure reasonably related to efficient and safe operations? Basically, this means having the policy or procedure make sense and the supervisor being able to explain it to an employee.
 3. Did management investigate before administering discipline? The investigation normally shall be made before the corrective action is taken. Where immediate actions is required for a serious infraction, the best course is to suspend the employee pending an investigation, with the understanding that he/she shall be restored to the job and paid for the time lost if found not to have violated the policy or procedure.

4. Was the investigation fair and objective? The supervisor shall make sure that he/she is using corrective disciplinary action to correct employee behavior.
 5. Did the investigation produce substantial evidence or proof of guilt? The evidence of guilt shall be reasonably sound, but does not need to be 100% conclusive. Was the rule and/or corrective action applied evenhandedly and without discrimination?
 6. Was the corrective action reasonably related to the seriousness of the offense and the employee's past record? If one employee's past record is significantly better than that of another employee, that could be the basis for a less severe penalty being imposed.
- D. Any employee, when contacted regarding an investigation relating to his/her behavior or alleged behavior that has the possibility of resulting in a corrective action, has the right to have a non-related Medical Center employee present during the discussion or question period, but the supervisor is not required to delay the interview for an unreasonable period of time, especially if the requested representative is unavailable for reasons beyond the Medical Center's control. The representative may not interfere with the supervisor's direct questioning of the employee. The employee has the right to a general statement of the charges and to confer with his/her representative before the interview. However, once the interview begins, the representative's role is limited to clarifying confusing questions. The representative may not speak on the employee's behalf, but may ask the employee relevant follow-up questions after the supervisor completes his/her questioning. The employee may be a Human Resources Team member.
- E. Any present employee or discharged employee who feels he/she has been treated unfairly, may follow the employee grievance process and may contact the Human Resources for assistance or with questions relating to the process.
- F. Basic work expectations for all employees include, but are not limited to, the following, and deviation from these expectations can result in disciplinary action up to and including discharge:
1. Report to work as scheduled unless excused from duty by the authorized supervisor.
 2. Report to work on time.
 3. Report to work in appropriate dress/attire, as prescribed the department supervisor and position duties (see Personal Appearance of Employee Policy).
 4. Report to work and maintain during work, personal hygiene as prescribed by the department supervisor and position duties.
 5. Confine the use of Medical Center telephone line to Medical Center business. Personal telephone calls may be made during break or lunch periods and the use of personal communication devices shall be limited to break or lunch periods. When a personal telephone call while on duty is absolutely necessary, it shall be as brief as possible and cannot interfere with Medical Center operations. Only authorized long distance telephone calls may be charged to the Medical Center.
 6. Utilize Medical Center stationary and forms only for authorized Medical Center business.
 7. Maintain in strictest confidence any information regarding a patient/employee. Access only that patient/employee information necessary to perform your job duties, and release such information only to those authorized to receive it. Authorized personnel never include an employee's family members or friends outside or inside the Medical Center unless those persons have a medical need to know the information. Any questions regarding the release of patient information shall be directed to management prior to any

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release. Discussion of a patient's condition shall be confined to private areas out of hearing range of the general public, and only with those who have a job related need to know the information.

8. Assure accuracy of the time sheet, including clocking in and out correctly. All employees are responsible for filling out their time sheet correctly and any deviation from the standard shall receive authorization from the supervisor. Incorrect or inaccurate time sheets may result in a delay of an employee's paycheck. No employee may clock in or out or fill out another employee's time sheet. Adhere to break times and lunch period times.
 9. Remain on the Medical Center premises during scheduled shift unless authorized by the supervisor to leave.
 10. Adhere to Medical Center policies and procedures outlined in the Human Resources manual.
 11. Adhere to specific departmental policies and procedures.
 12. Adhere to standards of practice related to an employee's position.
 13. Adhere to the Medical Center's Corporate Integrity program/Code of Ethics and Business Conduct policies.
- G. Conduct which specifically shall not be tolerated and shall result in corrective action up to and including termination include, but are not limited to, the following:
1. Neglect or abuse of any patient or, conduct detrimental to patient care or Medical Center operations.
 2. Violating a safety rule or safety practice, or creating or contributing to unsafe working conditions.
 3. Unauthorized access and/or disclosure of confidential patient, employee, or Medical Center information.
 4. Any false statement made on the application for employment or omission of information.
 5. Failure to follow the Medical Center's Alcohol/Drug Policy.
 6. Theft or removal from the premise without proper authorization of any Medical Center property, or property of another employee, patient, or visitor.
 7. Fighting or attempting bodily harm to another employee, patient, physician, or visitor on Medical Center property.
 8. Threatening, harassing or intimidating conduct or behavior toward patients, visitors, employees, or medical staff, including criticism of an individual in front of patients or other health care professionals.
 9. Unauthorized possession of weapons or explosives on the premises.
 10. Unauthorized entry or altering of any time sheet or permitting others to do same.
 11. Display of sexually offensive material, use of sexually offensive language or gestures, or making implied or overt sexual advances that creates a hostile working environment. (see Illegal Harassment Policy)
 12. Failure to wear the employee's own photo identification badge while on duty.
 13. Failure to report to work for a scheduled shift without calling in.
 14. Participate in any illegal acts while on the medical center's property or while on duty.
 15. Insubordination, refusal, or intentional failure to perform a work assignment.
 16. Misusing, destroying, or damaging any Medical Center property, or property of a patient, physician, or another employee.

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17. Habitual tardiness, absence, or unauthorized absence.
 18. Sleeping on the job during working hours.
 19. Wasting time, loitering, or leave place of work during working hours without permission.
 20. Posting, altering, or removing any matter on bulletin boards or Medical Center property without specific permission.
 21. Failure to immediately report any accident on the premises which has resulted in personal injury or property damage.
 22. Violation of the Medical Center's Solicitation Policy.
 23. Smoking on the premises, whether pipe, cigar, cigarettes, or any other form of tobacco, including the appearance of smoking, such as use of tobacco substitutes such as vapor or electronic cigarettes or cigars, or aerosol mist smoking-type inhalers and including any form of smokeless tobacco, such as chewing tobacco.
 24. Failure to maintain personal appearance, uniforms, dress, or personal hygiene.
 25. Unsatisfactory work performance, as determined in the sole discretion of the Medical Center.
 26. Use of profanity, verbal abuse (yelling, shouting, etc.) or slamming or the throwing of objects.
- H. Whenever a breach of Medical Center policies, regulations, or procedures occurs, corrective action appropriate to the circumstances shall be taken. The following are the forms of progressive corrective action arranged in degree of severity. The procedure outlined in this policy generally shall be followed when it is necessary to impose discipline. However, the Medical Center reserves the right, in its sole discretion and judgment, to impose any form of discipline it deems appropriate under the circumstances and not every situation shall result in the imposition of progressive discipline prior to discharge. Any formal corrective action of EAP referral shall be coordinated in advance through the Human Resources.
1. Oral counseling (ORAL COUN). The purpose is to clarify expected performance requirements.
 2. Work improvement plan.
 - ✳ 3. Verbal Warning with written documentation (VWD). The purpose is to advise there is a problem and determine expected improvement in performance.
 - ✳ 4. Written warning (WW). The purpose is to advise behavior is inappropriate and if not changed, further corrective action, including termination, may occur.
 - ✳ 5. Suspension without pay, or second written warning (S W/O PAY). The purpose is to advise that a more severe inappropriate behavior has occurred, or an inappropriate behavior is being repeated.
Suspension without pay pending investigation may be utilized when investigatory time is needed and it is determined to be beneficial for the Medical Center to have the employee off the job. In the event that the alleged conduct is ruled to be appropriate, or the complaint ruled invalid, the employee shall be reinstated with full pay.
 - ✳ 6. Discharge (DISC)
 - I. In determining which action to take in regards to the employee behavior, the following factors need to be taken into account. The greater the impact a behavior has, or the more repetitive a behavior is, justifies more severe disciplinary action.

1. Severity of impact on others - staff, patients, family members of patients, the public who frequent the Medical Center, or other relevant parties.
 2. Severity of impact on the Medical Center, either in regards to reputation or financial liability.
 3. Whether the behavior has been repetitive or is a first incident.
- J. In the event of discharge, all compensation due and owing the employee shall be presented to the employee at the time of discharge, or, in the case of job abandonment, mailed to the employee with the discharge notice to his/her last known address.
- K. The Medical Center reserves the right to discharge employees at any time, with or without notice, for any lawful reason.
- L. Any corrective action, however minor, can have tremendous impact on an employee. The following is provided as a guide for corrective action. It is not intended to cover all situations that may require corrective action. Each situation shall be considered separately for the level of discipline. To maintain consistency in the administration of corrective actions throughout the Medical Center, all supervisors shall consult with the Human Resources prior to administering any corrective action.
- M. Disciplinary notices shall become null and void after a period of fifteen (15) months, twenty-four (24) months for clinical quality of patient care issues. This shall not affect the validity of any other discipline.

GUIDELINES

General Guidelines for Corrective Action of Unsatisfactory Behavior

Attendance		ORAL COUN	VWD	WW	S W/O PAY	DISC
1.	Chronic Absenteeism			X	X	X
a.	No more than two (2) unscheduled absences (occurrences).	X	X	X	X	X
2.	One scheduled day of unexcused absence (not calling in or taking time off for purpose other than authorized).		X	X	X	X
3.	Excessive tardiness (2 or more days out of 5 scheduled)		X	X	X	X
4.	Wasting time or loitering	X	X	X	X	X
5.	Leaving Medical Center premises during work shift without permission and/or failure to report out/in when leaving or returning the Medical Center premises.		X	X	X	X
6.	Entering information on another employee's time sheet, having another enter information on one's own time sheet, or fraudulent alteration of a time sheet.			X	X	X
7.	Illegal acts on the medical center's property or while on duty				X	X
8.	Abuse of sick time (calling in sick when not			X	X	X

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	actually ill, using sick time for other activities).					
9.	Failure to return from or over-extend a leave of absence without proper application and approval.				X	X
10.	More than 3 Time Card missed punches in a pay period.	X	X	X	X	X
Safety						
1.	Contributing to disorderly and/or unsanitary conditions.	X	X	X	X	X
2.	Violating a safety rule	X		X	X	X
3.	Contributing to unsafe conditions, practices, or acts (situations which may have or has resulted in personal injury to self/others/patients or property damage).			X	X	X
4.	Failure to immediately report an incident (as in #3)	X	X	X	X	X
5.	Tobacco use or the use of e-cigarettes on Medical Center premises.		X	X	X	X
Performance and Operations						
1.	Unauthorized operation, use, or possession of machine, tools, equipment, or supplies.	X	X	X	X	X
2.	Failure to follow respective job description and job procedure- written or verbal.	X	X	X	X	X
3.	Deliberately restricting work output.	X		X	X	X
4.	Sleeping on the job during work shift.				X	X
5.	Excessive personal talking that interferes with work of others.	X	X	X	X	X
6.	Failure to meet written job performance requirements.	X	X	X	X	X
7.	Disruptive personal behavior resulting in conflict with others or interfering with job performance of other employees.	X	X	X	X	X
8.	Failure to share or seek information when such results could have resulted in jeopardizing patient care or safety.	X	X	X	X	X
Personal/Professional Conduct						
1.	Scuffling or running	X	X	X	X	X
2.	Failure to observe Medical Center parking regulations.	X	X	X	X	X
3.	Unauthorized vending, distribution, soliciting or collecting contributions on			X	X	X

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	Medical Center premises.					
4.	Vending, soliciting or collecting contributions on duty time unless so authorized.			X	X	X
5.	Misusing/damaging/destroying, Medical Center or employee equipment/property (including telephone use, Medical Center forms and stationary).	X		X	X	X
6.	Threatening, intimidating, coercing, or interfering with others on Medical Center premises (includes sexual harassment-see Harassment Policy).				X	X
7.	Careless waste of Medical Center materials and/or supplies and/or ordering supplies for personal use.			X	X	X
8.	Posting, altering, or removing any matter on bulletin boards or other Medical Center property without proper authorization.	X	X	X	X	X
9.	Distributing written or printed matter of any description on Medical Center premises in violation of Solicitation Policy.			X	X	X
10.	Making false, vicious, or malicious statements about an employee of the Medical Center.			X	X	X
11.	Accessing/viewing unauthorized confidential information, and/or disclosing this information to unauthorized persons.				X	X
12.	Unauthorized use of possession of intoxicants, narcotics or other drugs on Medical Center premises.				X	X
13.	Reporting to work under the influence of alcohol or unauthorized drugs.				X	X
14.	Inability to function or perform job tasks due to sickness or use of prescribed drugs or other reasons.	X	X	X	X	X
15.	Falsifying Medical Center records.			X	X	X
16.	Unauthorized possession of firearms, explosives, or any other weapon which may be considered lethal.				X	X
17.	Theft or unauthorized possession of any Medical Center, employee, patient/visitor, or other person's property.				X	X
18.	Conviction of a misdemeanor related to			X	X	X

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	work duties and responsibilities.					
19.	Conviction of a felony that, with documentation, is considered related to work duties and responsibilities.				X	X
20.	Insubordination.				X	X
21.	Unauthorized consuming or dispensing of food without payment.			X	X	X
22.	Entering restricted areas without authorization.			X	X	X
23.	Failure to adhere to the Medical Center Standards booklet.		X	X	X	X
24.	Failure to adhere to established grooming and/or dress standards (including personal hygiene).			X	X	X
25.	Fighting on Medical Center premises. Attempting to bodily harm another without authorization. (i.e., restraining a patient).				X	X
26.	The use of threatening or vulgar language to supervisors, other employees, or other professionals on the premises.	X	X	X	X	X
27.	Any false statement made on the application for employment or omission of information that might affect the applicant/employment negatively in relation to a position.				X	X
28.	Neglect or abuse (includes verbal behavior) of any patient, or conduct detrimental to patient care or Medical Center care of Medical Center operations.		X	X	X	X
29.	Refusal to perform a work assignment, unless it can be considered unethical or illegal.	X	X	X	X	X
30.	Performing duties the employee is not legally lic/reg/cert to perform.				X	X
31.	Failure to adhere to the Medical Center's Corporate Integrity program/Code of Ethics and Business Conduct policies.			X	X	X
32.	Conduct/behavior (including but not limited to being arrested) that may have a negative impact on the medical center's image in the community.			X	X	X

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