

A photograph of a meeting table with a laptop, a mug, and documents. The table is made of light-colored wood. A black laptop is open in the center. To the right, there is a grey mug. In the foreground, there are several documents and a smartphone. The background shows the hands and arms of people sitting around the table.

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# When Should You Document? Documentation Strategies for Supervisors and Managers

Prepared and Presented by:

Paul Falcone, MPTF (The Motion Picture & Television Fund)

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A photograph of a person in a dark suit jacket sitting at a desk, typing on a silver laptop. The desk is white and has a smartphone and a pair of glasses on it. The background is a blurred office environment. A semi-transparent dark grey box is overlaid on the image, containing the title text.

# When Should You Document? Documentation Strategies for Supervisors and Managers

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## Today's Presenter . . .

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## And Author of . . .

- 101 Sample Write-Ups for Documenting Employee Performance Problems: A Guide to Progressive Discipline and Termination (Harper Collins, 3rd ed. 2017)
- 101 Tough Discussions to Have With Employees
- 96 Great Interview Questions to Ask Before You Hire
- 2600 Phrases for Effective Performance Reviews
- 75 Ways for Managers to Hire, Develop, and Keep Great Employees

## Fundamental Elements of Workplace Due Process

- Rule 1: The employee needs to know what the problem is
- Rule 2: The employee needs to know what she needs to do in order to fix the problem (a measurable standard must be known in advance)

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## Fundamentals (cont.)

- Rule 3: The employee needs to have a reasonable time period in which to fix the problem
- Rule 4: The employee needs to understand the consequences of inaction

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## To Meet These Four Criteria:

- You and your company have to be consistent in the application of your own rules. Therefore, look to your past practices in addition to your current policies.
- The discipline must be appropriate for the offense. Beware of over-emphasizing de minimis infractions.

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## Fundamentals (cont.)

- Consider prior service, overall performance, and prior performance appraisal and disciplinary records so that you're not administering discipline in a vacuum.
- Give employees an opportunity to respond formally in writing.

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## Golden Rules of Thumb

- Seldom will disciplinary transgressions be identical.
- For progressive discipline to progress, there must be a link or nexus between events in order to move to the next stage.
- Otherwise, you'll end up with a series of "first" warnings rather than a progression of first, second, and/or final written warnings.

## Rules of Thumb (cont.)

- **Litmus Test**: How would you respond to this particular issue if your best-performing employee made the same error / engaged in the same conduct?
- HR should be present (a) as a witness and (b) to ensure the employee is treated with dignity and respect.

## Rules of Thumb (cont.)

- The key to successful progressive discipline lies in shifting the responsibility for improvement away from the company and back to the employee—where it rightfully belongs!
- Achieve this by “meeting the employee halfway” in the process and making your company part of the solution.

## What is Progressive Discipline?

- A series of one or more formal (documented) notices that an employee’s performance and/or conduct doesn’t meet standards.
- A progressive system of notification where each step contains some added element to impress upon the employee the growing sense of urgency.



## Critical Issues to Consider

- Summary Dismissals
- Employment at will vs. “employment with termination for just cause only”
- Probationary periods: a false sense of security for many employers

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## Critical Issues (cont.)

- Issuing a “final written warning” for a first-time offense: performance vs. conduct infractions
- Removing disciplinary warnings from an employee’s personnel file after one year: proceed at your own risk!

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## Number of Steps

- Follow the **verbal > written > final written** warning paradigm unless starting with anything less than a final written warning could make you, as an employer, appear irresponsible.
- Accord more due to process to longer-term workers (via decision-making leaves and letters of clarification).

## Classifying Infractions

- A repeated violation of the same rule or the same type of rule is key to progressing through the steps of progressive discipline.
- Remember to view behavior in terms of overall responsibility rather than as isolated behavioral acts.

## Two Key Categories

- **Performance Transgressions** (including policy and procedure violations and attendance/tardiness) -- Follow all regular steps of disciplinary process.
- **Behavior/Conduct Infractions** -- Move to immediate termination or a final written warning, if necessary.

## I. Incident Description Do's and Don'ts

- Rule 1: Employ the traditional who - what- where - when - why paradigm when drafting narratives
- Rule 2: Use your senses when describing events, and paint pictures with words

## Incident Descriptions (cont.)

Rule 3: Turn subjective evaluations into objective, concrete facts

- Don't state: "You left your work area untidy again."
- Do state: "An eight-inch stack of incoming work orders was piled on top of your desk, and A/C parts were lying all over the mail table."

## Incident Descriptions (cont.)

- Don't state: "You appeared at the customer's home under the influence of alcohol."
- Do state: "The customer reported that he heard you slurring your words and saw that your eyes were glassy. He stated that he smelled alcohol on your breath from approximately two feet away, which I confirmed when I arrived."

## Incident Descriptions (cont.)

- Rule 4: Document the negative organizational impact that resulted from the employee's actions
- "Your failure to collect these accounts receivable could negatively impact our company's cash flow."

## Incident Descriptions (cont.)

"I found inconsistencies throughout your calculations and had to correct them myself before they could be processed. As a result,

- I had to work until 10:00 PM last night.
- We'll have to hire a temp.
- We'll need to push back the go-live date."

## Incident Descriptions (cont.)

- Rule 5: Whenever possible, include the employee's response in the warning to document that you listened to the individual's side of the story before taking disciplinary action.
- *"When I asked you how this occurred, you told me . . ."*

## II. Measurable and Tangible Improvement Goals

- For progressive discipline to work, it's got to have a concrete outcome (e.g., increased production numbers, decreased errors, improved interpersonal communications, or a tardy-free attendance record).
- State your **expectations** clearly:



## Measurable Goals (cont.)

- “I expect you to complete your recruitment statistics by the fifth of the month and tell me in advance if you will be unable to collect the data from HRIS to meet this goal.”

## Measurable Goals (cont.)

- “You are expected to meet our organization’s guidelines regarding attendance and punctuality at all times.”
- “I expect you to always treat your coworkers with respect and to foster an inclusive work environment.”

### III. Training and Special Direction to Be Provided

- Whenever possible, address a problem with positive tools and encouragement in order to “meet the employee halfway.”
- Discipline should always be delivered hand-in-hand with training and other “affirmative” employer efforts.

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### Training (cont.)

- “I will meet with you in your office every Monday for the next four weeks to . . .”
- “In an effort to sensitize you about how your behavior might impact others, you will be scheduled to attend a one-day workshop on dealing with interpersonal conflict in the workplace.”

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## Training (cont.)

- “I will send you an Excel reference book on spreadsheet basics. Please familiarize yourself with the essential functions you’ll need on a daily basis.”
- “I suggest you take a time management course at a local college.”
- “A copy of our attendance policy is attached. Please read it immediately and see me with any questions.”

## IV. Documented Consequences

- Catch-All: “Failure to demonstrate immediate and sustained improvement may result in further disciplinary action, up to and including dismissal.”

## Consequences (cont.)

Consequences with no time limits:

“If you **ever again** engage in conduct with a supervisor, coworker, or customer that could be considered hostile, overly aggressive, or offensive, you may be immediately dismissed.”

## Consequences (cont.)

Consequences using active time windows:

- 30 days: To closely monitor poor performance, use a short window that will allow you to determine if the individual can meet the essential functions of his job.

## Consequences (cont.)

- 60 days: Salespeople who aren't meeting expectations often are placed on 60-day notice periods in order to allow them to make a sale, close the deal, and wait for receivables to cash in.

## Consequences (cont.)

- 90 days: To keep employees "clean" for the longest period of time (for example, with tardiness and attendance problems), use a 90-day window.
- Remember, you're not guaranteeing 90 days of employment if you write the consequences this way:

## Consequences (cont.)

“If **at any time within** this 90-day period you incur two more incidents of unscheduled absence, you may be immediately dismissed.”

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## Putting It All Together

- “Denise, today you displayed unacceptable conduct when I asked you a simple question. You were rude, argumentative, and hostile in front of the entire Human Resources staff and an outside vendor. You used unprofessional language, placed your hands on your hips in a defiant manner, and rolled your eyes when I addressed you, stating “This is B.S. and such a waste of time—It’s frigging unbelievable!”
- “Your outburst disrupted the meeting that I was holding and the functioning of the department. Your behavior was insubordinate and in violation of company standards of performance and conduct.

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## Sample Language (cont.)

- “Your conduct has steadily deteriorated over the past two months since you learned you would not be promoted to the position of Staffing Manager. When I’ve asked you to update me on projects you’re working on, you’ve responded in a curt and condescending manner.
- “Recently three of your coworkers have complained about the abrupt manner in which you treat them and complained about feeling like they have to walk on eggshells around you.

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## Sample Language (cont.)

- “As a result, your workplace conduct has become overly aggressive and confrontational, which violates company policy and your responsibility for creating a friendly and inclusive work environment.”

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## Sample Language (cont.)

### Performance Improvement Plan

- Measurable/Tangible Improvement Goals: Denise, I expect you to maintain a working environment that is free from any hostility, disruption, or antagonism. You're expected to create and maintain a work environment that welcomes others to share suggestions and propose solutions openly.

## Sample Language (cont.)

- Training or Special Direction to Be Provided: Please research training opportunities for a one-day, off-site or virtual training workshop on developing stronger communication skills, either from a customer service standpoint or dealing with interpersonal conflict in the workplace. You will attend on company time and at company expense. Please provide me with several options to choose from.

## Sample Language (cont.)

- In addition, I recognize that you may have certain ideas for improving the situation at hand. Therefore, I encourage you to provide your own personal improvement input and/or rebuttal on a separate sheet of paper if you wish.

## Sample Language (cont.)

### Outcomes & Consequences

- I will remain available to help you and discuss areas where you require additional support. However, you are now being placed on formal notice that if you ever again display unprofessional conduct with me or any other employees or outside contacts, you **may** be immediately discharged for cause. A copy of this document will be placed in your personnel file.

## Sample Language (cont.)

### Employee Acknowledgment

- “I have received a copy of this document. I accept full responsibility for my actions and commit to following all company standards of performance and conduct. [In addition, I understand that this is my last chance and that my position is now in immediate jeopardy of being lost. If I fail to achieve the goals agreed upon in this document, I will voluntarily resign or be terminated for cause.]”

## Letters of Clarification

- An alternative to formal written warnings (“acknowledgment”)
- Best used for longer-term workers who may be entitled to greater due process
- “This document will not be placed in your personnel file at this time. Please sign to acknowledge your commitment to fixing the **perception problem** at hand.”

## Decision-Making Leave

- Best used for longer-term workers who may be entitled to greater due process
- “Last Chance Agreement”
- Day off with pay to rethink your commitment to the company and to your position
- A “once in a career” benefit

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## DML (cont.)

- Structure
- “If you choose to resign because you no longer feel that working for XYZ company benefits your career, I will respect your decision and support you in any way I can.”

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## DML (cont.)

- “On the other hand, if you choose to return to work the day after tomorrow, I expect you to provide me with a one-page statement confirming your level of commitment to the company along with your assurance that we will never have to discuss this issue again. This letter will be placed into your personnel file . . .”

## Avoid These 2 Mistakes!

- Avoid documenting “state of mind” offenses: do not use words such as “willfully, maliciously, purposely, deliberately, or intentionally” (mental qualifiers)
- Do not “codify the damage.” Remember, these documents are all discoverable (e.g., “Sexual Harassment” is considered a legal conclusion).



## Questions & Answers

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#35 Lack of Sales Production

PERFORMANCE CORRECTION NOTICE

Employee Name: *Joan Teller* Department: *Loan Information Services*

Date Presented: *November 11, 2017* Supervisor: *Peter Winters*

Disciplinary Level

- Verbal Correction** – (To memorialize the conversation.)
- Written Warning** – (State nature of offense, method of correction, and action to be taken if offense is repeated.)
- Investigatory Leave** – (Include length of time and nature of review.)
- Final Written Warning**
  - Without decision-making leave
  - With decision-making leave (Attach memo of instructions.)
  - With unpaid suspension

Subject: *Substandard work*

- Policy/Procedure Violation
- Performance Transgression
- Behavior/Conduct Infraction
- Absenteeism/Tardiness

Prior Notifications

Level of Discipline	Date	Subject
Verbal	_____	_____

Written *October 7, 2017* *Substandard performance*

Final Written \_\_\_\_\_

**Incident Description and Supporting Details:** Include the following information: Time, Place, Date of Occurrence, and Persons Present as well as Organizational Impact.

*Joan,*

*On your six-month performance evaluation, which you received last month, you were notified that you had to “increase the volume of your outbound calls by 20 percent” to reach the minimum daily threshold.*

*Although you passed your new employee 90-day introductory period back in July with relative ease, the past few months have shown a decline in your mastery of the basics. To date, you are not making enough outbound calls or scheduling enough property appraisals to meet minimum production requirements. In addition, your production numbers in the area of recorded loans have fallen 15 to 20 percent short of expected minimums in the past two months. Finally, in monitoring your phone calls, I have witnessed that you are not properly determining borrowers’ needs in terms of offering the appropriate loan programs. This concerns me because you demonstrated in your first three months of employment that you could reach these production numbers, distinguish among our loan products, and qualify borrowers successfully. As a result, you are currently not meeting sales production standards.*

Performance Improvement Plan

1. Measurable/Tangible Improvement Goals: *Joan, I expect you to immediately increase your volume of outbound sales calls to reach the minimum established by departmental policy—50 calls per day. I also expect you to master the details related to our firm’s various homeowner loan packages so that you can recommend suitable options to borrowers with authority and confidence.*
2. Training or Special Direction to Be Provided: *I will provide you with our company’s sales training manual so that you have an opportunity to review the basic features and benefits of our loan products. I will also ask Rena Stein, sales supervisor, to sit with you at your workstation for half a day to provide you with one-on-one feedback regarding incoming sales calls. Rena will also review with you the key questions to ask in determining borrowers’ loan-to-value ratios.*

3. Interim Performance Evaluation Necessary? *No*

4. **Our Employee Assistance Program (EAP) Provider, Prime Behavioral Health Group, can be confidentially reached to assist you at (800) 555-5555. This is strictly voluntary. A booklet regarding the EAP's services is available from Human Resources.**

5. **In addition, I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to provide your own Personal Improvement Plan Input and Suggestions:**

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(Attach additional sheets if needed.)

#### Outcomes and Consequences

**Positive:** I will remain available to help you and discuss areas where you require additional support. If you meet your performance goals, no further disciplinary action will be taken regarding this issue. *In addition, by raising your raw production numbers and reviewing the solutions that our loan options can provide to borrowers, you should increase your output to minimum performance thresholds and establish the groundwork necessary to earn your first commission check.*

**Negative:** *You are now being placed on a 60-day written notice that you are not meeting the terms established in your recent performance evaluation. If your incoming call volume, scheduled appointments, and/or recorded loans do not meet company standards, or if you fail to demonstrate an ability to sell our firm's loan programs at any time during that period, you will be subject to additional discipline up to and including termination.* A copy of this document will be placed in your personnel file.

**Scheduled Review Date:** *30 days (December 11)*

#### Employee Comments and/or Rebuttal

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(Attach additional sheets if needed.)

X \_\_\_\_\_  
Employee Signature

Employee Acknowledgment

I understand that XYZ Company is an “at-will” employer, meaning my employment has no specified term and that the employment relationship may be terminated any time at the will of either party on notice to the other. I also realize that XYZ is opting to provide me with corrective action measures, and can terminate such corrective action measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have received a copy of this notification. It has been discussed with me, and I have been advised to take time to consider it before I sign it. I have freely chosen to agree to it, and I accept full responsibility for my actions. *I understand that my position is now in jeopardy of being lost and that I must make substantial improvements in my performance in order to remain employed.* By signing this, I commit to follow the company’s standards of performance and conduct.

\_\_\_\_\_  
Employee Signature      Date      Supervisor Signature      Date      \_\_\_\_\_

**Witness** (if employee refuses to sign)

\_\_\_\_\_  
Name      Date      Time in conference

\_\_\_\_\_  
Distribution of copies:       Employer     Supervisor     Department Head     Human Resources

**#53 Insubordination**

**PERFORMANCE CORRECTION NOTICE**

**Employee Name:** *Denise Bryant*      **Department:** *Human Resources*

**Date Presented:** *February 10, 2017*      **Supervisor:** *Janet Farah*

**Disciplinary Level**

- Verbal Correction - (To memorialize the conversation.)**
- Written Warning - (State nature of offense, method of correction, and action to be taken if offense is repeated.)**
- Investigatory Leave - (Include length of time and nature of review.)**
- Final Written Warning**
  - Without decision-making leave
  - With decision-making leave (Attach memo of instructions.)
  - With unpaid suspension

**Subject:** *Insubordination, violation of standards of performance and conduct*

- Policy/Procedure Violation
- Performance Transgression
- Behavior/Conduct Infraction
- Absenteeism and Tardiness

**Prior Notifications**

<b>Level of Discipline</b>	<b>Date</b>	<b>Subject</b>
Verbal	<i>January 6, 2017</i>	<i>Substandard performance</i>
Written	_____	_____
Final Written	_____	_____

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**Incident Description and Supporting Details:** Include the following information: Time, Place, Date of Occurrence, and Persons Present as well as Organizational Impact.

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*Denise,*

*Today you displayed unacceptable conduct when I asked you a simple question. You were rude, argumentative, and hostile in front of the entire Human Resources staff and an outside vendor. You used unprofessional language, placed your hands on your hips in a defiant manner, and rolled your eyes when I addressed you. Your outburst disrupted the meeting I was holding and the functioning of the department. Your behavior was clearly insubordinate and in violation of company standards of performance and conduct.*

*Your conduct has steadily deteriorated over the past two months since you learned you would not be promoted to the position of staffing manager. When I have asked you to update me on projects you are working on, you have responded in a curt and condescending manner. In the past month, three of your coworkers have complained about the abrupt manner in which you treat them.*

*On January 6, three weeks after you learned that you wouldn't be promoted, I discussed this developing problem with you. I explained that I understood that you were disappointed that you were not promoted, but I informed you that your conduct needed to improve or you would find yourself facing progressive disciplinary actions up to and including dismissal. I told you that I would respect your decision to find work elsewhere, but you assured me that you were fine and that you were happy working here. Unfortunately, your conduct since that meeting has not improved, and this recent blowup is totally unacceptable.*

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#### **Performance Improvement Plan**

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**1. Measurable/Tangible Improvement Goals:** *Denise, I expect you to maintain a working environment that is free from any hostility, disruption, or antagonism.*

**2. Training or Special Direction to Be Provided:** *I am sending you to a one-day off-site training workshop on interpersonal relationships, especially on dealing with conflict in the workplace. While attending this training, I expect you to consider whether further employment with our company is a viable alternative for you.*

**3. Interim Performance Evaluation Necessary?** *Yes. Although it is not time for your regularly scheduled annual performance evaluation, I will write an appraisal in the next two weeks that reflects your recent conduct infractions and your overall performance year-to-date.*

**4. Our Employee Assistance Program (EAP) provider, Prime Behavioral Health Group, can be confidentially reached to assist you at (800) 555-5555. This is strictly**

voluntary. A booklet regarding the EAP's services is available from Human Resources.

5. In addition, I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to provide your own **Personal Improvement Plan Input and Suggestions:**

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(Attach additional sheets if needed.)

Outcomes and Consequences

**Positive:** I will remain available to help you and discuss areas where you require additional support. If you meet your performance goals, no further disciplinary action will be taken regarding this issue.

**Negative:** *You are now being placed on formal notice that if you ever again display unprofessional conduct with me or any other employees or outside contacts, you may be immediately discharged for cause. A copy of this document will be placed in your personnel file.*

**Scheduled Review Date:** *Two weeks (February 24)*

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Employee Comments and/or Rebuttal

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(Attach additional sheets if needed.)

X

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Employee Signature

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**Employee Acknowledgment**

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I understand that XYZ Company is an “at-will” employer, meaning my employment has no specified term and that the employment relationship may be terminated any time at the will of either party on notice to the other. I also realize that XYZ is opting to provide me with corrective action measures, and can terminate such corrective action measures at any

time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have received a copy of this notification. It has been discussed with me, and I have been advised to take time to consider it before I sign it. I have freely chosen to agree to it, and I accept full responsibility for my actions. *I understand that my position is now in jeopardy of being lost and that I must make substantial improvements in my performance in order to remain employed.* By signing this, I commit to follow the company's standards of performance and conduct. I also realize that this is my last chance. If I fail to meet the standards established in this memo, I will voluntarily resign or be terminated for cause.

\_\_\_\_\_  
Employee Signature                      Date                      Supervisor Signature                      Date

**Witness** (if employee refuses to sign)

\_\_\_\_\_  
Name                      Date                      Time in conference

\_\_\_\_\_

\_\_\_\_\_  
Distribution of copies:                       Employer     Supervisor     Department Head      
Human Resources



#59 Sexual Harassment

PERFORMANCE CORRECTION NOTICE

Employee Name: **Roger Samson** Department: **Manufacturing**  
Date Presented: **April 15, 2017** Supervisor: **Denita Harold**

Disciplinary Level

- Verbal Correction** – (To memorialize the conversation.)
- Written Warning** – (State nature of offense, method of correction, and action to be taken if offense is repeated.)
- Investigatory Leave** – (Include length of time and nature of review.)
- Final Written Warning**
  - Without decision-making leave
  - With decision-making leave (Attach memo of instructions.)
  - With unpaid suspension

Subject: **Failure to follow company policies and procedures**

- Policy/Procedure Violation
- Performance Transgression
- Behavior/Conduct Infraction
- Absenteeism/Tardiness

Prior Notifications

Level of Discipline	Date	Subject
Verbal _____	_____	_____
Written _____	_____	_____

Final Written \_\_\_\_\_

**Incident Description and Supporting Details:** Include the following information: Time, Place, Date of Occurrence, and Persons Present as well as Organizational Impact.

Roger,

*It has come to management’s attention that you attempted to kiss a fellow worker in the elevator whom you previously dated after that individual explained to you that she is no longer interested in a personal relationship beyond work. Indeed, since you dated her last year, she has become engaged to another person.*

*In our meeting, you shared that you “went over the line” because you still have feelings for her, work side by side with her on a daily basis, go to lunch with the same group of friends, and occasionally meet after hours at the gym. You admitted that you “lost focus” in terms of respecting her wishes to be left alone. Finally, you stated that you will respect her in the future and maintain an appropriate distance.*

Performance Improvement Plan

1. Measurable/Tangible Improvement Goals: **Roger, I expect you to adhere to the commitments you made in terms of respecting your coworker’s rights regarding her personal life and her right to feel comfortable working side by side with you.**
2. Training or Special Direction to Be Provided: **Our firm’s policy on sexual harassment is attached. Please read the policy immediately and see me if you have any questions.**
3. Interim Performance Evaluation Necessary? **No**
4. **Our Employee Assistance Program (EAP) Provider, Prime Behavioral Health Group, can be confidentially reached to assist you at (800) 555-5555. This is strictly voluntary. A booklet regarding the EAP’s services is available from Human Resources.**

5. **In addition, I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to provide your own** Personal Improvement Plan Input and Suggestions:

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if needed.)

Outcomes and Consequences

**Positive:** I will remain available to help you and discuss areas where you require additional support. If you meet your performance goals, no further disciplinary action will be taken regarding this issue.

**Negative:** *Our organization is committed to guaranteeing all of our employees a friendly work environment based on the respect of others' rights. You are now being placed on notice that if you fail to respect this coworker's or any others' rights regarding their personal lives, you may be dismissed. Furthermore, I remind you that if you retaliate against this employee in any manner, you may likewise be dismissed.* A copy of this document will be placed in your personnel file.

**Scheduled Review Date:** *None*

Employee Comments and/or Rebuttal

\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if needed.)

X \_\_\_\_\_  
Employee Signature

Employee Acknowledgment

I understand that XYZ Company is an "at-will" employer, meaning my employment has no specified term and that the employment relationship may be terminated any time at the will of either party on notice to the other. I also realize that XYZ is opting to provide me with corrective action measures, and can terminate such corrective action measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have received a copy of this notification. It has been discussed with me, and I have been advised to take time to consider it before I sign it. I have freely chosen to agree to it, and I accept full responsibility for my actions. *I understand that my position is now in jeopardy of being lost and that I must make substantial improvements in my performance in order to remain employed.* By signing this, I commit to follow the company's standards of performance and conduct.

\_\_\_\_\_  
Employee Signature      Date      \_\_\_\_\_  
Supervisor Signature      Date

**Witness** (if employee refuses to sign)

\_\_\_\_\_  
Name      Date      Time in conference

Distribution of copies:     Employer     Supervisor     Department Head     Human Resources



2. Training or Special Direction to Be Provided: *None at this time. You have already received a copy of company policy regarding absence. I hold you fully responsible for your attendance. If you need to meet with Gail Herndon in Human Resources to discuss your rights under the Family Medical Leave Act, you can reach her at X2279.*
3. Interim Performance Evaluation Necessary? *No*
4. **Our Employee Assistance Program (EAP) Provider, Prime Behavioral Health Group, can be confidentially reached to assist you at (800) 555-5555. This is strictly voluntary. A booklet regarding the EAP's services is available from Human Resources.**

5. **In addition, I recognize that you may have certain ideas to improve your performance. Therefore, I encourage you to provide your own** Personal Improvement Plan Input and Suggestions:

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(Attach additional sheets if needed.)

Outcomes and Consequences

**Positive:** I will remain available to help you and discuss areas where you require additional support. If you meet your performance goals, no further disciplinary action will be taken regarding this issue. *In addition, you will develop a sense of accomplishment in helping our department meet its production goals while minimizing staff rescheduling and last-minute overtime costs.*

**Negative:** *Failure to meet company absenteeism standards is serious. You are now formally being placed on written warning for unauthorized absence. This indicates that you may not have taken your prior warning as seriously as you should have. You are now formally notified that a ninth incident of unauthorized absence in the rolling calendar year will lead to a final written warning.*

*As per Policy 2.14 on attendance, when an employee is in final written warning status for absenteeism, any occurrence of absenteeism or tardiness in the rolling calendar year will result in immediate dismissal. Furthermore, an employee in final written warning status will be ineligible for promotion or transfer. The employee will be ineligible to receive any approved time off except previously scheduled holidays, bereavement, or any time off required by law.*

*Furthermore, you are now formally notified that any further occurrences of sick leave must be substantiated by a doctor's note. The doctor's note will be necessary to return to work and to access your sick leave accrual bank. A copy of this document will be placed in your personnel file.*

**Scheduled Review Date:** *None*

Employee Comments and/or Rebuttal

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(Attach additional sheets if needed.)

X \_\_\_\_\_  
Employee Signature

Employee Acknowledgment

I understand that XYZ Company is an “at-will” employer, meaning my employment has no specified term and that the employment relationship may be terminated any time at the will of either party on notice to the other. I also realize that XYZ is opting to provide me with corrective action measures, and can terminate such corrective action measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have received a copy of this notification. It has been discussed with me, and I have been advised to take time to consider it before I sign it. I have freely chosen to agree to it, and I accept full responsibility for my actions. *By signing this, I commit to improve my attendance to meet company standards and to follow all other standards of performance and conduct. I also now acknowledge that my job is in jeopardy of being lost.* By signing this, I commit to follow the company’s standards of performance and conduct.

\_\_\_\_\_  
Employee Signature      Date      Supervisor Signature      Date      \_\_\_\_\_

**Witness** (if employee refuses to sign)

\_\_\_\_\_  
Name      Date      Time in conference

\_\_\_\_\_  
Distribution of copies:     Employer     Supervisor     Department Head     Human Resources



# LORMAN<sup>®</sup>

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