

MANAGING EMPLOYEE PERFORMANCE

Corrective Action & Disciplinary Process Checklist			
Manager:			
Employee Name:		Position Title:	
Hire Date:		Bargaining Unit:	
Process per UM Policy	Documentation Type & Dates	Investigatory Meeting	Comments:
<ul style="list-style-type: none"> • Documented efforts to correct behavior prior to disciplinary process • Pre- disciplinary Performance Development Plan and/or Self Directed Action Plan completed and outcomes documented. 		Y/N (date)	
<ul style="list-style-type: none"> • Documented verbal reprimand/warning 			
<ul style="list-style-type: none"> • Written warning • Post disciplinary Performance Development Plan and/or Self Directed Action Plan 			
<ul style="list-style-type: none"> • Written warning with an unpaid suspension or final written warning in lieu of unpaid suspension 			
<ul style="list-style-type: none"> • Transfer or demotion 			
<ul style="list-style-type: none"> • Any other appropriate disciplinary action 			
Discharge from employment - The Seven Tests for Just Cause			
	Documentation Type & Dates	Comments:	
Forewarning: Did the employer inform the employee of the possible or probable disciplinary consequences of the conduct?			
Reasonable/Related Rules: Was the employer's rule or policy reasonable related to the orderly, efficient and safe operation of its business?			

Thorough Investigation: Did the supervisor make an effort to determine if the employee actually did violate the rule or order before administering discipline?		
Fair Investigation: Was the employer's investigation conducted fairly and objectively?		
Substantial Evidence: At the investigation, did the "judge" obtain substantial evidence or proof that the employee was guilty as charged?		
Consistent: Has the employer applied its rules, policies and discipline even-handedly and without discrimination to all employees?		
Discipline: Was the degree of discipline administered by the employer in a particular case reasonably related to (a) seriousness of the employee's proven offense and (b) the record of the employee in their service with the employer?		

JUST CAUSE – THE SEVEN STEP TEST

1. Did the employee have forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee's conduct?
2. Was the University's rule or managerial order reasonably related to (a) the orderly, efficient, and safe operation of the department's business, and (b) the performance that the supervisor might properly expect of the employee?
3. Did the supervisor, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?
4. Was the University's investigation conducted fairly and objectively?
5. Did the investigation produce sufficient evidence or proof that the employee was guilty as charged?
6. Has the department applied its rules, orders and penalties even-handedly and without discrimination?
7. Was the degree of discipline administered by the supervisor in a particular case reasonable related to (a) the seriousness of the employee's proven offense, and (b) the employee's records of service?

If the answer to one or more of the above questions is "no," it may signify that just cause for discharge does not exist.