

TOOLS FOR ADDRESSING EMPLOYEE BEHAVIOR



CORRECTIVE ACTIONS

The Oneida Employee Handbook provides the expected progressive order for the issuance of Corrective Actions. If the circumstances and facts involved in a particular instance are egregious enough, deviation from the expected progressive order may be warranted. The ultimate goal of the progressive Corrective Action order provided below is to help Employee's and supervisors align expectations so the Employee may contribute fully to the Tribe's mission and goals.

Step 1: Written Warning

A written warning must define the seriousness of the situation so the actions may be avoided in the future and may be used unless (1) the prohibited behavior was criminal or illegal; or (2) the violation warrants immediate termination.

Step 2: Suspension

A suspension is the temporary removal of an Employee from his or her work duties and from receiving pay. If suspending a Salaried Employee, it must be in full workday increments. Because Salaried Employees may only be suspended in full workday increments, a Salaried Employee may only be suspended for serious misconduct, and not attendance or performance issues. Suspensions may be used unless (1) the prohibited behavior was criminal or illegal; or (2) the violation warrants immediate termination.

Step 3: Termination

Termination is the release of an Employee from Employment against the Employee's will. An Employee may be terminated when an Employee accumulates any 3 Corrective Actions within any 12 month period, where termination itself is the 3rd Corrective Action, and must be terminated when the prohibited action was criminal or illegal. An At-Will Employee may be terminated at any time and for any reason.

OTHER NON-CORRECTIVE ACTION TOOLS AVAILABLE

Supervisors may use these tools without issuing a Corrective Action or as a required component of a Corrective Action. In the event that one or both of these tools is used as a required component of a Corrective Action and the Employee fails to satisfy the requirement, an additional Corrective Action may be issued.

Alternative Dispute Resolution (ADR)

ADR includes a variety of conflict intervention processes and is facilitated by a neutral 3rd party. The policy of ADR is to provide an alternative disciplinary action which corrects undesired behaviors, improves Employee performance and develops a mutual understanding of Employee expectations among Employee Supervisors and Employees. ADR may be a useful tool in situations where there appear to be signs of conflict based problems during the work day that may have contributed to the undesired behavior.

Employee Assistance Program (EAP)

If there appear to be signs of personal problems during the work day that may have contributed to an Employee's undesirable behavior, an Employee Supervisor may refer the Employee to the Employee Assistance Program (EAP and or Employee Resources Center (ERC)). If an Employee is referred to EAP/ERC, the Employee Supervisor may request that the Employee provide both the Employee Supervisor and the program with written documentation of how the Employee plans to correct the undesired behavior for which the referral was made.