

How to Discipline Your Employee©

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Are all of your employees perfect in every way? Do they always do their best while following all of your work rules, protocols and policies? Do you count your blessings every day for the opportunity to supervise and manage such a wonderful staff? Hopefully, your answers to these questions are yes; more than likely, some or all of them are no. Ultimately, every practice is confronted with the challenge of disciplining employees for not doing what they are supposed to do. Handled correctly and it can help an employee turn around his or her behavior or performance. If done incorrectly, it can place you and your practice in legal “hot water”.

Determining the appropriate disciplinary action to take is an extremely important decision that should never be made in haste or anger. Every effort must be made to ensure the decision to discipline, as well as the specific action to be taken, is made carefully and without prejudice. This article outlines the process to follow when deciding if an employee should be disciplined and determining the appropriate action to be taken.

Step 1: Determine If the Problem Is Due to Performance or Behavior

The first step in determining if discipline is warranted is to identify the cause and extent of the problem you are looking to correct. Is it due to poor performance or unacceptable behavior? Appropriately classifying the problem into one of these two categories will help you decide upon the appropriate response.

Performance- performance problems are normally tied to an employee not meeting the minimum expectations of the position due to a knowledge, skill or talent deficiency. Examples of poor performance are poor productivity and issues related to the employee failing to follow protocols or meet the performance standards of the job. Typically, hard metrics can be tied to performance problems and they are, therefore, usually easy to quantify.

Behavior- behavior problems are usually the result of an employee deciding not to comply with established rules, procedures and policies. Examples of behavior problems include misconduct, negligence, insubordination, poor attendance and other issues related to general conduct and behavior. These types of problems are normally within the employee’s control and should be addressed in a straightforward and direct manner.

Step 2: Gather the Relevant Facts

Before deciding on any disciplinary action, it is important to gather all of the relevant facts about the problem you are looking to correct. For performance-related problems, it is important to accumulate as much statistical information as possible. For instance, if a receptionist is responsible for making 10 follow-up client calls per week to arrange for wellness check ups, how

many calls were actually made? If a veterinary technician is required to spend no more than 15 minutes performing a preliminary patient examination, how long did s/he actually spend on each pre-exam? While it may not always be easy to gather all of the facts related to a performance problem, it is important to have as much back-up data as possible.

When the problem is linked to behavior, it is usually caused by an employee consciously deciding to ignore or disregard the established rules of conduct for the practice. For instance, a veterinary assistant who frequently arrives late for work has chosen not to leave early enough to arrive for work on time. Similarly, a kennel worker who improperly cleans cages has decided not to follow the cleaning protocols. In these instances, it is important to gather examples of behaviors you consider unacceptable.

Step 3: Determine the Appropriate Disciplinary Action to be Taken

There are numerous actions to consider when deciding upon the appropriate discipline to correct unacceptable behavior or performance. Below is a listing of the more common actions that have been utilized to discipline employees. Generally accepted disciplinary actions include:

- informal discussion
- verbal warning
- written warning
- final written warning
- suspension without pay
- demotion
- decrease in pay or hours
- “last chance” warning
- Termination

Before deciding on what disciplinary action to take, you should review your employee handbook to determine if you are obligated to follow specific disciplinary steps. Are you required to issue a verbal warning for a first offense? Can you skip certain steps and proceed to a more severe penalty, if warranted? Hopefully, your handbook does not lock you into following a prescribed course of discipline for all situations and incidents. If it does, you should consider having your handbook reviewed and revised, accordingly.

Another consideration for determining the appropriate discipline is to review how comparable situations or incidents were handled previously. How have employees been disciplined in the past for similar infractions or occurrences? Has the practice ever skipped certain steps in the disciplinary process? If so, what factors were considered in determining the appropriate action to be taken? Is there any possibility that this disciplinary action could be considered discriminatory? It is extremely important for a practice to be as consistent as possible when administering discipline to its employees. If you determine a particular employee deserves a different punishment than another employee received for a similar or comparable offense, be sure you can justify why the two employees were treated differently. It is also critical to ensure the “punishment fits the crime”. If an employee steals money or product, an immediate

termination may be warranted. However, if s/he has a tardiness problem, a verbal warning may be a more reasonable punishment.

Step 4: Conducting the Disciplinary Action Meeting

Initially, accept the fact that the discussion between you and your employee about how s/he will be disciplined will be difficult and filled with tension. Regardless of whether an employee feels they deserve to be disciplined or not, no one enjoys being punished. Unless it is physically impossible, be sure to conduct the discussion in a private area where no one else can overhear what is being said. Remember, this meeting is between only you and your employee. You are there to deliver a message to your employee in a straightforward and unemotional manner. As such, be sure to maintain your composure and keep an even temperament throughout the discussion. Finally, allow your employee the chance to present his/her side of the story. Rarely will it cause you to change your decision to discipline, but offering this “day in court” may reduce resistance to the action. To ensure your employee completely understands the reason(s) for the discipline and what is expected in the future, the following actions should also be taken:

- Develop a clear statement describing the behavior or performance deficiency that led to the discipline; include specific examples
- Restate the expectations and requirements with regard to the area of deficiency
- Develop a performance improvement plan that includes a list of tasks, activities, deliverables and outcomes that must occur within a set time period
- Schedule a date to follow-up
- Review the consequences of future occurrences with this and/or related deficiencies
- Review the highlights of your discussion
- Document the discussion, have employee sign a form that summarizes the disciplinary action, and place signed copy employee’s official personnel folder

When dealing with employee behavior problems, it is advisable not to attach timeframes for corrective actions. Do not make affirmative statements, such as your attendance will be closely monitored over the next 30 days. Doing so may leave your employee with the opportunity to argue later that s/he thought they only needed to improve for the period of time specified in the warning. Instead, state the employee’s behavior must immediately improve to a satisfactory level and improvement must be sustained.

For performance issues, it is incumbent upon you to play an active role in assisting your employee to improve performance to a satisfactory level. This could include providing additional training along with regular and frequent performance feedback. Be sure to set a follow up date to review your employee’s progress on improving performance.

Step 5: Document the Meeting

As with any important interaction between you and your staff, you should document the disciplinary action meeting, in detail, and place a record of the conversation in the employee’s official personnel folder. This documentation will serve as a helpful reminder when considering future actions involving this employee (e.g., performance reviews, pay increases, promotional opportunities, further disciplinary actions, etc.). It will also make it easier to defend your actions



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against claims of unfair treatment. For ease of administration, there are checklist forms you can use to document the disciplinary action.

Finally, keep in mind you are not the person responsible for the disciplinary action. The employee is the one who did or did not take the action that warranted the discipline.

Remember, it is imperative that you do your homework when it comes to disciplining employees. Investing a little time and effort up front can save you a great deal of problems after the fact.