



## Managers Guide to Documenting Discipline

Documentation of discipline issued to an employee is as important as the discipline itself—and it could prove to be more important if the employee's unacceptable behavior continues.

The discipline document should be written in plain, nontechnical language that the employee can understand. It should be legible and treated as confidential. It should only be available to those with a need to know. The document should identify the author and the date it was written.

### Standard Documentation

Generally, it is helpful for the organization to have a standard disciplinary documentation form to ensure that all the necessary information is captured in the document.

A good disciplinary document itself should, at a minimum:

- Refer to the rule or standard that was violated, the location of the rule or standard, and how the employee was notified of the rule or standard. (i.e. "...the company's no call, no show policy on page 5 of the employee handbook distributed at the time of hire.")
- Describe any previous counseling or discipline given for similar incidents or previous steps in the progressive discipline process taken. If previous counseling or discipline was documented (and hopefully, it was) attach copies of those documents to the new document.
- Describe the effect on the organization of the employee's failure to comply with the rule or meet the standard. (i.e. unable to meet customer orders, unable to effectively schedule employees, need to pull another employee off his/her job to cover)
- Clearly set out the expected behavior for the future.
- State the consequences of additional violation of the rule or standard.
- Reinforce the organization's willingness to help the employee meet the expectations and express hope that he or she will succeed.
- Include the employee's signature and the date signed. If the employee refuses to sign, note the refusal on the document and include the date and time it was presented to the employee. Then date and sign the document under your notation of the employee's refusal.

In creating the document, follow these 2 important best practices to ensure its accuracy and truthfulness:

1. Include only facts, not opinions, hyperbole, or conclusions. Any overstatements or exaggerations can damage the organization's credibility in the event the discipline is later reviewed by a third party such as an arbitrator, regulatory agency, or court.
2. Have another person review it. This should be someone in HR or the next level manager who is removed from the situation and able to view it more objectively. This person can assess whether the discipline is fair and whether the document is accurate and complete, and accomplishes the goals of the discipline.

### MRA's HR Hotline can help you!

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## Disciplinary Meeting

Go through the document point by point with the employee, making sure each point is understood. Spend adequate time to make certain the employee understands what is expected. Quantify the behavior, if possible. Instead of saying “you need to be here on time all day, every day,” say “you need to report for work by 8 a.m. and work until 5 p.m., Monday through Friday.” Ask the employee to explain the requirement to you in his or her own words.

It is important to offer encouragement to those who are being disciplined. Present the discipline as notification of an opportunity to improve, not as another step on the way to termination. Express your belief that the employee can bring his or her behavior into compliance with the organization’s standards and offer coaching, counseling, and training in technical or interpersonal skills, as needed.

Not only is good disciplinary documentation necessary to justify a termination, it is also key in accomplishing the goal of discipline—the correction of the employee’s unacceptable behavior. Clear documentation and presentation of that documentation by the manager will help the employee understand the nature of the problems and the changes he or she must make to correct the problems, increasing the likelihood that the desired behavior change will occur.

Need help talking through your disciplinary process? MRA’s [HR Advisors](#) can help you!

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