

POLICY

TPC's progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues. It has been designed consistent with TPC organizational values, Human Resource (HR) best practices and employment laws. TPC expects that all employees will conduct themselves according to generally accepted standards of conduct and performance. When employees do not meet these standards, it is the supervisor's responsibility to act in a timely manner and initiate a program of disciplinary steps to address the problem. Examples of situations which may require the supervisor to take immediate action include, but are not limited to, fighting in the workplace, theft, refusal to perform work, excessive absenteeism or chronic tardiness.

PROCEDURES

This policy presents the basic principles and procedures of a system of progressive discipline which is intended to ensure that all employees are treated as consistently and fairly as possible throughout TPC.

The disciplinary program has four major purposes:

1. Ensure that the employee knows what the problem is;
2. Communicate what the supervisor's expectations are in order for the employee to correct the problem;
3. Provide appropriate penalties for improper work conduct; and
4. Provide a record of corrective action taken by supervisors in such problem situations.

Outlined below are the steps of TPC's progressive discipline policy and procedure. TPC reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense; however, in cases of misconduct or repeated infractions, the process may be shortened, may move directly to a later step in the process, including termination. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training, the employee's work record, and the impact the conduct and performance issues have on the organization.

Progressive Discipline Procedure

Step 1: Counseling and verbal warning

Creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or the violation of company policies and

procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve performance or resolve the problem.

Within five business days of this meeting, the supervisor will prepare written documentation of a Step 1 meeting. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

Step 2: Written warning

Although TPC hopes that the employee will promptly correct any performance, conduct or attendance issues that were identified in Step 1, TPC recognizes that this may not always occur. The Step 2 written warning involves more formal documentation of the performance, conduct or attendance issues and consequences.

During Step 2, the immediate supervisor and a department manager/HR will meet with the employee to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance or conduct expectations.

A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued within five business days of a Step 2 meeting. A warning outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken may also be included in the written warning.

Step 3: Suspension and final written warning

There may be performance, conduct or safety incidents so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal progression of this progressive discipline policy and procedure are subject to approval from a next-level manager and HR.

Depending on the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal, state and local wage-and-hour employment laws,

although if an investigation of events is necessary the employee may be suspended with pay, pending results of the investigation. Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee.

Step 4: Recommendation for termination of employment

The last and most serious step in the progressive discipline procedure is a recommendation to terminate employment. Generally, TPC will try to exercise the progressive nature of this policy by first providing warnings, a final written warning or suspension from the workplace before proceeding to a recommendation to terminate employment. However, TPC reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by HR and the CEO approval may be required from the upper management.

Employee Conduct That Can Result in Disciplinary Action

TPC has established general guidelines to govern the conduct of its employees. No list of rules can include all instances of conduct that can result in discipline, and the examples below do not replace sound judgment or common-sense behavior.

Examples of employee conduct that would lead to discipline and the usual course of disciplinary action have been separated into four groups, according to the usual severity and impact of the infraction. Different violations may be handled differently depending on the group they are in. TPC reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including demotion, oral and written warnings, suspension with or without pay, and discharge. Because of Fair Labor Standards Act (FLSA) requirements, exempt employees should not be suspended without pay for less than a week.

Group 1 - Disciplinary process:

1st offense: Documented verbal warning.

2nd offense: Documented written warning.

3rd offense: Three-day suspension.

4th offense: Termination of employment.

Group 1 Examples:

1. Creating conflict with co-workers, supervisors, visitors or volunteers.
2. Failing to follow practices as needed for the specific job assignment.
3. Contributing to unsafe conditions.
4. Smoking in nonsmoking areas.
5. Leaving the assigned work area or facility without the supervisor's permission.
6. Loitering or loafing while on duty.
7. Using facility telephones for unauthorized purposes.
8. Disregarding the organization's dress code.
9. Damaging or using organization-owned equipment without authorization.
10. Abusing lunch and break periods.
11. Removing, posting or altering notices on any bulletin board on company property without permission from the employee's manager or HR department.
12. Eating food or drinking beverages in undesignated areas.
13. Violating other rules or policies not specifically listed.

Group 2 - Disciplinary process:

1st offense: Written warning 2nd offense: Suspension 3rd offense: Termination

Group 2 Examples:

1. Failing to report injuries, damage to or an accident involving company equipment.
2. Violating any safety rule.
3. Acting negligently.
4. Engaging in horseplay that results in personal injury or equipment damage.
5. Spreading malicious rumors.
6. Engaging in vulgar or abusive language or conduct toward others.
7. Copying facility documents for personal use.
8. Using facility communication systems inappropriately.
9. Treating customers or co-workers in a discourteous, inattentive or unprofessional manner.
10. Quitting early without notification or permission.
11. Being absent for less than three days without notification or permission.
12. Not complying with personnel file maintenance.
13. Not following department guidelines concerning notification of absenteeism.

Group 3 - Disciplinary process:

1st offense: Dismissal.

Dismissal is an immediate termination of employees for serious breaches of responsibility, unsatisfactory performance or misconduct. A supervisor or department head may impose dismissal after consultation with the HR department.

Examples:

1. Being absent for three or more days without notification or permission (also referred to as a voluntary quit or job abandonment).
2. Fighting
3. Demonstrating insubordination, including: Refusal to do an assigned job, refusal to work overtime when required, refusal to render assistance, refusal to accept holiday work when assigned, insolent response to a work order, delay in carrying out an assignment.
4. Being dishonest, including deception, fraud, lying, cheating or theft.
5. Having time card violations.
6. Sabotaging the facility, grounds or equipment.
7. Falsifying company records, such as employment applications and time cards, in any way.
8. Engaging in indecent behavior.
9. Possessing, being under the influence of or drinking intoxicants on the job.
10. Sleeping while on duty.
11. Concealing defective work.
12. Carrying a weapon on company property, including in the parking lot.
13. Disclosing confidential records or information.
14. Soliciting gifts or tips from business-related contracts.
15. Using the facility's computer systems, including accessing confidential computer files and data, without authorization.
16. Demonstrating gross misconduct or other serious violations of TPC policies or procedures.
17. Failing to comply with licensure and certification requirements.

Group 4 - Unscheduled, unexcused absences due to injury or illness, even when following appropriate guidelines, may still be deemed excessive. Discipline for otherwise unexcused tardiness and absenteeism is generally applied as follows: the first two violations will result in written warnings; the third, a three-day suspension; and the fourth, dismissal.

Approvals:

Signature: _____ Date: _____

Tania Taveras, MBA HRM
Volunteer/HR Manager

Signature: _____ Date: 6/11/19

Thomas S. Pietrogallo, MSW/LCSW, MBA
Chief Executive Officer

BOD Approved Date: Pending

Date Established: 06.11.2019

Date Reviewed: N/A