

# Progressive Driver Disciplinary Policy

## Step 1- Verbal Warning:

In many situations a verbal warning/counseling is sufficient. The purpose of a verbal warning is to clarify policies and expectations. The impact of the incident or violation should also be taken into consideration. The supervisor should document for his or her records that the conversation occurred, keeping in mind the significance of the impact of the act or omission.

## Step 2 - Written Warning:

If the conduct addressed by a verbal warning is repeated or additional problems occur within 12 months of a verbal warning, the supervisor should follow up with a written warning in the form of a letter. On the other hand, if a single incident is more serious than is appropriate for a verbal warning, the supervisor should issue a written warning in the form of a letter. The letter should describe the unacceptable conduct, outline expectations, and state that further disciplinary action will occur if the behavior is repeated within 12 months.

## Step 3 - Final Written Warning (which may include a suspension without pay):

If the conduct addressed by the written warning is repeated or additional problems occur within a 12-month period, discipline may progress to a final written warning, which may include an unpaid suspension. However, a single incident may be so severe as to merit an immediate final warning and suspension without pay. As noted above, the supervisor should work in consultation with Human Resources prior to taking disciplinary actions at higher levels, such as written warnings, final written warnings (with or without unpaid suspension) and termination.

## Step 4 - Termination of Employment:

Employment may be terminated based on progressive discipline within a 12-month period or based on the severity of a single incident.

Misconduct that involves dishonesty, violation of the law, or significant risks to Vanderbilt operations or to the safety or well-being of oneself or others is grounds for immediate termination of employment. However, the facts and circumstances of each case will determine what action, up to and including discharge from employment, is appropriate. Decisions to terminate employment should be made in consultation with Human Resources. Examples of misconduct include, **but are not limited to**:

1. Violations of policy or procedure

- Anti-Harassment and Equal Opportunity and Affirmative Action
- Hours of Work (i.e., unauthorized sleeping while on scheduled work time)
- Drugs & Alcohol
- Electronic Communication Policy
- VUMC Compliance & Integrity Standards of Conduct

2. Violence in the workplace

- Possessing an unauthorized weapon
- Threatening or assaulting another person on premises

3. Serious neglect of duty, insubordination (including refusal to comply with policy on background checks for current employees), violation of safety rules, dishonesty, falsification of records, breach of confidentiality, unauthorized use of resources for personal gain, unauthorized removal or destruction of property belonging to others

4. Criminal Activity and Disclosures

- Failure to report a criminal arrest or conviction through a [Conflict of Interest disclosure](#) within 3 business days of the arrest or conviction
- Failure to disclose criminal convictions as requested during a criminal background check performed pursuant to policy

- Conviction of a crime involving dishonesty, violence or other behavior that impacts suitability for employment
- Activity that involves dishonesty, violence or other behavior that impacts suitability for employment, whether or not it results in criminal prosecution or conviction

A review of any criminal activity and disclosure will be conducted prior to any action being taken. The review will include, but not be limited to, an assessment of the underlying conduct, the nature and gravity of the offense or conduct, when the incident occurred (whether it occurred many years ago or within the last few years), and the nature of the position.

### Impact of Written or Final Progressive Discipline Warning

- **Internal Transfers** (applying for another position) – the employee is required to share with the hiring manager, prior to the job offer, the circumstances and severity of the disciplinary action. This information may be a deciding factor in the hiring decision. Failure to disclose a disciplinary action prior to accepting an offer of transfer may also result in additional discipline, up to and including the termination of employment.
- **Annual Increase** – Employees on a final Progressive Discipline Warning are not eligible for an annual increase. Employees on a written Progressive Discipline Warning are not automatically eligible for an annual increase. At the manager's discretion and in consultation with HR, an increase for an employee who has been on a Disciplinary Warning may be considered provided they have significantly met and sustained performance expectations.
- **Professional Practice Ladders** – discipline issues related to a current or past Progressive Discipline warning may be considered when assessing advancement.

Note: PTO will not be paid when an employee is placed on suspension as the result of progressive discipline actions.

## Resources Available to Employees

The Employee Assistance Program is available to provide resources and suggestions as an employee is taking steps to ensure that the inappropriate conduct or policy violation does not recur.

The Dispute Resolution Process is available to employees, who are outside their orientation period, if they wish to dispute a written warning or higher-level action that was taken under the Progressive Discipline Policy.

An employee who believes that s/he has been subjected to discipline because of race, sex, religion, color, national or ethnic origin, age, disability, military service, genetic information, sexual orientation, gender expression, gender identity, or in retaliation for 1) filing or encouraging one to file a complaint of unlawful discrimination, 2) participating in an investigation of unlawful discrimination, 3) opposing unlawful discrimination, 4) or some other protected activity, should contact the Equal Opportunity, Affirmative Action, and Disability Services Office (EAD) at 615.322.4705.

This policy is not intended to apply to statements or actions protected under Section 7 of the National Labor Relations Act. ([NLRA](#))

Date: \_\_\_\_\_

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Employee Printed Name

Signature of Employee

Title