

Corrective Action Policy

Target Group: Cleveland Clinic United States locations- Non-physician Employees		Original Date of Issue: 06/02/1976	Version 1
Approved by: Joseph Cabral	Date Last Approved/Reviewed: 12/29/2014	Prepared by: Nancy Tichy (SR DIRECTOR HR II)	Effective Date 12/29/2014

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

Purpose

Cleveland Clinic recognizes the importance of providing a basis for understanding and guidance regarding appropriate workplace conduct and performance. The purpose of this policy is to provide guidelines to assist with managing employee performance or conduct issues that interfere with the safe, orderly, effective, and efficient operation of the organization.

Policy Statement

Cleveland Clinic has established standards of behavior and expectations governing performance and conduct. This policy is established to provide for a consistent, non-discriminatory application of those standards of behavior. Employees are provided the opportunity to correct performance while assuring that the organization's best interests are served.

When it becomes necessary to correct the actions of an employee, reference may be made to the categories below which relate to the severity of the offenses. The categories are not all-inclusive and employees may be disciplined for actions not specifically designated. Certain situations may require deviation from the guidelines outlined in this policy. It is the responsibility of every employee to know the acceptable standards of behavior. Any questions should be directed to the immediate supervisor or Human Resources.

Definitions

Cleveland Clinic United States locations: Includes the main campus, Avon, Euclid, Fairview, Hillcrest, Lutheran, Marymount, Medina, South Pointe, Children's Hospital for Rehabilitation, Cleveland Clinic Florida Hospital, and all Family Health Centers, Physician practice sites, Nevada practice sites, Emergency Departments, Urgent Care Centers and Ambulatory Surgical Centers reporting to these facilities

The following lists include descriptions of infractions for which some level of corrective action will be taken. The lists are not all-inclusive; other grounds for discipline may be indicated by departmental policies, or commonly accepted standards of conduct.

- I. Infractions of a minor nature will generally subject an employee to corrective action at Step 1, Documented Counseling, or Step 2, Written Corrective Action. Any

corrective action for a minor infraction which occurs less than one year after the previous corrective action should progress to the next step. A representative list of minor violations includes:

- A. No Call/No Show – A No Call/No Show occurs when an employee fails to provide notification of an absence or provides notification at or after the midpoint of the scheduled shift. An occurrence of No Call/No Show is up to two (2) consecutive scheduled work days of No Call/No Show (see Attendance policy).
 - B. Failure to adhere to reasonable standards of personal hygiene, grooming, and dress. Also, failure to adhere to established uniform requirements. (see Personal Appearance policy).
 - C. Failure to wear the appropriate Cleveland Clinic identification badge (see Identification Badge policy).
 - D. Failure to report an injury, accident, or unsafe condition.
 - E. Profane or unprofessional language (See Professional Conduct policy).
 - F. Attendance related offenses (see Attendance policy).
 - G. Any demonstrated pattern over a period of time of unscheduled time off or tardiness, regardless of chargeable attendance infractions.
 - H. Working overtime without authorization (see Overtime policy).
 - I. Unauthorized extended meal period, breaks, or unauthorized absence from the work area (see Breaks and Meal Period policy).
 - J. Presence in an unauthorized area.
 - K. Unacceptable or unsatisfactory job performance (including poor quality or quantity of work, failure to fulfill job requirements, lack of application on the job, causing or contributing to unsanitary or unsafe conditions and performing unsafe procedures).
 - L. Failure to perform in a courteous, conscientious, and caring manner in responding to the needs of a caregiver. ("Caregiver" is defined as any individual that comes in contact with the department or employee during the normal course of doing business. This could be patients, visitors, fellow employees, etc.).
 - M. Minor violation of the Cleveland Clinic Corporate Compliance Program or other legal standards, including failure to report or detect any violation of such policy.
 - N. Loitering during scheduled working and off-duty hours.
 - O. Smoking or eating in unauthorized areas (see Non-Smoking policy).
 - P. Solicitation and/or distribution of literature, vending or conducting personal business on work premises in violation of Cleveland Clinic policy (see Solicitation and Distribution of Literature policy).
 - Q. Collecting funds or accepting gratuities.
 - R. Unauthorized use of telephone (see Telephone and Cellular Phone Use policy).
 - S. Working off the clock or, in the case of supervisors, permitting, requesting, or requiring employees to work off the clock (see Timekeeping policy).
 - T. Repeated or chronic infractions of the organization's rules with no evident improvement in performance or conduct.
 - U. Any other failure of good behavior or neglect of duty.
- II. Infractions of a major nature will subject an employee to corrective action which is severe in nature, usually resulting in a Step 3, Unpaid Suspension or a Step 4, Termination. A representative list of major violations includes:
- A. Three (3) consecutive scheduled work days of no-call/no-show is grounds for immediate termination.
 - B. Inappropriate treatment of any patient for any reason.
 - C. Falsification of any official patient, organization, or employee records.

- D. Deliberate false, fraudulent, or malicious statements or actions involving a patient, Cleveland Clinic, another employee, or the public; or any other action detrimental to Cleveland Clinic.
- E. Unauthorized ordering, access, possession, use, duplication or release of confidential information about Cleveland Clinic, its employees, or patients.
- F. Possession of firearms, other weapons or other unauthorized dangerous materials on Cleveland Clinic property (see Weapon Control policy).
- G. Unauthorized use of a Cleveland Clinic vehicle.
- H. Fraudulent use of the timekeeping system (see Timekeeping policy).
- I. Unauthorized use of any Cleveland Clinic identification badge (see Identification Badge policy).
- J. Refusal to identify oneself to any supervisor or Police/Security Officer
- K. Fighting on Cleveland Clinic premises.
- L. Gambling on Cleveland Clinic property.
- M. Sleeping while on duty.
- N. Possession, consumption or being under the influence of alcohol on Cleveland Clinic premises. (This is not intended to prohibit the serving of alcoholic beverages in conjunction with authorized Cleveland Clinic functions).
- O. Unlawful or unauthorized use, manufacture, possession, sale or transfer of illegal drugs or narcotics on or off Cleveland Clinic premises (see Substance Abuse policy).
- P. Reporting for duty in an unfit or unsafe condition to work.
- Q. Refusing to submit to a medical evaluation including testing when reasonably suspected of being under the influence of alcohol or drugs (see Substance Abuse policy and Employee Assistance Program policy).
- R. Failure to meet licensing, and/or certification requirements and/or failure to complete mandatory clinical competencies. (see HR Licensure/Certification/Competency policy).
- S. Theft (attempted or accomplished), removal of, unauthorized possession, tampering or use of property belonging to an employee, visitor, patient or Cleveland Clinic. Borrowing money for personal possessions from patients or visitors.
- T. Insubordination, including refusal to comply with direct work assignment or order after it has been specifically called to the attention of the employee, and/or belligerent, defiant, abusive or threatening conduct or speech.
- U. Failure to fulfill the responsibilities of the job to an extent that might reasonably or does cause injury to a patient, visitor or another employee.
- V. Immoral, indecent, disorderly or illegal conduct on Cleveland Clinic property and any acts of dishonesty.
- W. Improper or negligent acts that cause damage to, waste of, or loss of materials, supplies, equipment, facilities or other property of Cleveland Clinic employees, visitors or patients.
- X. Failure to conform to professional ethics (see Professional Conduct policy).
- Y. Intentionally or repeatedly permitting, requesting, or requiring employees to work off the clock.
- Z. Any conduct seriously detrimental to patient care, fellow employees, or Cleveland Clinic operations.
- AA. Major violation of Cleveland Clinic Corporate Compliance Program or other legal standards, including failure to report or detect any violation of such policy.
- BB. Behavior which causes a hostile work environment such as threatened or actual physical violence; sexual, racial, or other harassment; or verbal abuse of patient, visitor, staff or another employee (see Non-Discrimination, Harassment or Retaliation policy and Professional Conduct policy).

- CC. Failure to satisfactorily complete a formal performance improvement plan.
 - DD. Conviction of a crime which has an adverse impact on the business or image of Cleveland Clinic (see Investigation of Criminal Conduct policy).
 - EE. Retaliation against an employee, patient or visitor for reporting violations of Cleveland Clinic policy (see Equal Employment Opportunity/Workforce Diversity and Inclusion policy).
 - FF. Any other serious failure of good behavior or serious neglect of duty.
- III. To promote a culture of safety, Cleveland Clinic has adopted a non-punitive stance with regard to reporting of certain adverse events. Corrective action will not be taken against employees who report an adverse event upon discovery as long as the employee is willing to fully cooperate with management in investigating the factors leading to the event to determine the system/process issues involved and provided that none of the exceptions listed below are present:
- A. Intentional acts to harm or deceive.
 - B. Reckless or intentional disregard for standard operating procedures.
 - C. In the event that performance/competency is a root cause for an adverse event, management will make every reasonable effort to determine if the involved employee can reliably deliver safe care through further education and counseling. If it appears that the employee cannot practice in a reliably safe manner, the situation will be treated as a performance/competency issue through the performance/competency management process.
- IV. The list of offenses contained herein is meant to be illustrative and not all inclusive. Engaging in activity which is inconsistent with the ordinary and reasonable standards of behavior necessary to the mutual welfare of Cleveland Clinic, its employees, patients, and visitors will also subject an individual to corrective action. Regardless of the group in which an offense is listed, a particularly flagrant violation of an otherwise less serious offense may result in a more serious level of corrective action than the one indicated for that group. Conversely, in the event of a serious offense in which mitigating circumstances appear to exist in the judgment of Cleveland Clinic, a less severe level of corrective action may be imposed.

Policy Implementation

- I. Employees who fail to abide by established standards and rules may be subject to corrective action. The step of corrective action may vary depending upon the nature of the infraction, the circumstances surrounding the offense and the employee's past records. The four steps of corrective action are as follows:

Step 1	Documented Counseling
Step 2	Written Corrective Action
Step 3	Final Written Warning*/Unpaid Suspension
Step 4	Termination

*Step 3 for corrective actions that are progressive in nature (i.e. for a minor infraction) will result in Final Written Warning. Step 3 for corrective action of a major infraction will result in an Unpaid Suspension. Unpaid Suspension may be for three (3) shifts for a maximum of 24 scheduled work hours.

Termination may be preceded by indefinite unpaid suspension pending investigation.

- II. Corrective actions should be documented on the *Employee Corrective Action Report* form and should be signed by the supervisor.
- III. Corrective actions resulting in Final Written Warning/Unpaid Suspension must be reviewed by Human Resources prior to implementation. Corrective actions resulting in termination must be approved and signed off on by the Senior Director of Human Resources assigned to the relevant division/department.

GENERAL PROVISIONS

- I. Corrective action for an offense that occurs within one year after issuance of previous corrective action will generally be progressive in nature (e.g. at the next step of the corrective action process), but the specific discipline issued in any case will depend on the totality of the facts and circumstances, including the gravity of the offense(s).
- II. Corrective action for a minor infraction that occurs at least one year, but within two years after issuance of the previous corrective action, should typically be administered at the same step as the last corrective action issued, but the specific discipline issued in any case will depend on the totality of the facts and circumstances, including the gravity of the offense(s).
- III. Corrective action for a major infraction that occurs at least one year, but within two years after issuance of the previous corrective action will generally be progressive in nature (e.g. at the next step of the corrective action process), but the specific discipline in any case will depend on the totality of the facts and circumstances, including the gravity of the offense(s).
- IV. Records of corrective action beyond the two-year period will not normally be considered in matters relating to promotions or transfers or used as a basis for further progressive disciplinary action.
- V. The level of corrective action of an employee's record will remain with the employee upon transfer to a new position within their current location or across Cleveland Clinic locations.
- VI. Corrective action for attendance is integrated with corrective action for other infractions (see Attendance policy).
- VII. Temporary employees, PRN, and per-diem employees, and employees in their new hire period are not subject to progressive corrective action and do not have available to them the right of review process.
- VIII. This policy is intended to provide general guidelines and procedures for the application of corrective action. Notwithstanding, Cleveland Clinic reserves the right to discipline, demote or discharge at will and without regard to the foregoing guidelines and procedures.

Regulatory Requirement/References

Attendance

Breaks and Meal Periods

Equal Employment Opportunity/Workforce Diversity and Inclusion

Employee Assistance Program

Identification Badge
Investigation of Criminal Conduct
Licensure/Certification/Competency
New Hire Period
Non-Discrimination, Harassment or Retaliation
Non-Smoking
Overtime
Personal Appearance
Professional Conduct
Right of Review
Solicitation and Distribution of Literature
Substance Abuse
Telephone and Cellular Phone Use
Timekeeping
Weapon Control

Oversight and Responsibility

Human Resources is responsible for developing and revising this policy and for assisting managers with the consistent application of the policy. Managers are responsible for administering this policy in a consistent manner. Employees are responsible for following established conduct and performance expectations and for collaborating with managers on addressing and improving identified conduct or performance issues.

Other Background Information

ISSUING OFFICE

Employee Relations, Human Resources