Outcomes of Performance Disciplinary Actions in a Healthcare Organization

THESIS

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Abstract

With healthcare’s employment growth, the high rates of involuntary discharges and goals of being high performing organizations, addressing employee disciplinary issues is important for healthcare managers. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful. The purpose of this study is to describe the outcomes of performance disciplinary actions by type of position.

A retrospective review of incidences of performance actions by persons working in a Midwestern United States hospital from July 1, 2011 through June 30, 2012 was conducted. Information was obtained from a data base provided by the Human Resources Office. Data collected included position titles, classification of position, requested disciplinary action, actual outcome, nature of incident (attendance or performance) and issue date of the disciplinary action.

In this health care organization, of the 8,818 employees in unionized and non-unionized classifications, 8.4% had a performance or attendance disciplinary incidence in a one year time frame. The non-unionized classification had a larger percentage of employees in corrective action than the unionized. Performance infractions were more frequent than attendance infractions. Overall, the progression of disciplinary action occurred as expected based on title category and classification. Some employees did
remain in the disciplinary process for a long period of time. Most disciplinary process steps ending in termination take greater than a year. Within this 12 month period, only 13% of total employees in discipline had more than one step or incidence during the year.

Applications of results include improving knowledge of specific organizational level discipline and giving managers and human resources important information about the design of effective disciplinary processes. If the disciplinary process can be successfully used to improve employee performance, an organization will keep the employee and save valuable time and resources in retaining employees.
Dedication

To my Husband and Best Friend, Sean, for his incredible love, patience and support
To my Sons, Casey & Kyle, for loving smiles and not letting me take things too seriously
To my Mom, Sandy, for her love and faithful prayers for my strength and wisdom
  To my Grandma, Pat, for her encouragement and confidence in me
  To the best in-laws, Rick & Sharon, for your love and constant support
To my friend Emily, so proud of you, couldn’t have done it without you, “We got this!”
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And In the Memory of:
My dear friend, Laura Klinger, who we lost this year, she cared, she loved and she gave
  and she always believed I would finish even when I didn’t.
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Fields of Study

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Chapter 1: Introduction

Background

Many businesses are trying to become high performance organizations and workplaces of choice by investing in their employees, recognizing excellent performance and providing intrinsic rewards to their staff. However when faced with disruptive employees or challenging behavior issues, productivity suffers, costs increase and managers can become frustrated. Conflict management may be necessary to overcome these performance issues. Due to the time consuming nature of conflict management, many managers elect to not conduct it. At the same time, employers may fear risk of legal issues, such as labor laws related to discrimination, retaliation or unfair treatment.

Managers must also understand the performance management processes for different types of positions in their organizations. Organizations with labor unions must abide by labor contracts (collective bargaining agreements), and in some cases more than one labor union per organization. For example, some healthcare environments have both nursing unions and skilled trade unions. It is critical that organizations address employee performance issues and have clear and consistent disciplinary practices.

A component of the performance management process is setting and communicating high standards and expectations for employee performance. For performance to improve, coaching between managers and employees is very important. Left unaddressed, performance issues can impact other employees, productivity, and
overall performance results of a business unit. Therefore addressing performance issues is essential to achieving high performing organization status.

Statement of the Problem

Leaders and/or managers must confront performance issues every day. Adding to the knowledge base of specific organizational level discipline may give managers and human resource manager’s important information about the design of effective disciplinary processes. Describing disciplinary actions taken among varying classifications of employees (unionized skilled, unionized professional or non-unionized) will add to the understanding and knowledge of disciplinary action.

Significance of the Problem

Addressing performance issues, coaching, issuing corrective action and navigating conflict management is very time consuming for managers. More often than not, it is suspected that managers spend most of their time with low performing employees. In 2011, 1.3% of total employees in the United States were separated from their jobs involuntarily by discharges or layoffs (U.S. Department of Labor, 2011). In the healthcare and social assistance industry in 2010, 9.9% or 1,632,000 staff members in health care and social assistance industries were involuntarily separated from their positions (United States Census Bureau).

Since January 2008, employment in the health care industry has been consistently higher than other industries including manufacturing, construction or business and
professional services (United States Department of Labor, 2012). From June to August 2012, jobs in health care grew an average of 16,000 per month and in September 2012 alone, health care employment rose by 44,000 (United States Department of Labor, 2012). With health care’s employment growth, the high rates of involuntary discharges and goals of being high performing organizations, addressing employee disciplinary issues will become more important for healthcare managers. Little is known about specific organization level details of corrective action and a descriptive review could assist in better understanding why involuntary discharges within healthcare are high. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful.

Purpose of the Study

The purpose of this study was to describe the outcomes of performance disciplinary actions by type of position.

Research Questions

The specific questions were:

1. What is the frequency of disciplinary actions by type of classification and title category (unionized, non-unionized, classifications)?

2. What is the frequency of type of disciplinary infraction (attendance or performance) by classification and title category (unionized, non-unionized, classifications)?
3. What is the frequency of types of disciplinary action outcomes by type of classification and title category?

4. What is the difference between the disciplinary action requested and the outcome received?

5. What is the frequency of disciplinary action outcomes with one or more steps in disciplinary process and what is the description of employees with one or more disciplinary action steps, including length of time in the disciplinary process?

Limitations

This study described a small subset of employees at one organization and therefore cannot be generalized. This was a descriptive study without causal relationships as complete understanding cannot occur from a small data base. It is difficult to access data on employees who have been disciplined. Without direct interviews, researchers cannot get information on perceptions of employees or the managers.

Definition of Terms

Involuntary termination – separation from employment due to a layoff or dismissal; firings, or other discharges for cause
**Avoidable separation** – represent voluntary terminations of employment by the employee, including resignations, retirements, transfers to other locations, deaths or separations due to disability (U.S. Department of Labor, 2011)

**Unavoidable separation** – represent involuntary terminations of employment initiated by the employer and include layoffs with no intent to rehire and discharges resulting from mergers, downsizing, or closings, firings, or other discharges for cause (U.S. Department of Labor, 2011)

**Disciplinary action or process** – the method and progression of reprimanding employees who fail to adhere to the organizations performance standards, policies or rules

**Performance management** – the process of maintaining or improving employee job performance through use of performance assessment tools, coaching and counseling was well as providing continuous feedback
Chapter 2: Review of Literature

Performance and behavior disciplinary action are likely the least favorite components of a manager’s responsibilities. However, left unaddressed, performance problems can prevent successful outcomes and lead to poor results. Corrective action or the employee disciplinary process is used for employee deficits in knowledge, skills, abilities and/or behaviors. The performance management process in organizations is one mechanism purportedly used to eliminate or mitigate those deficits. Performance management is defined by McConnell as the “art and science of dealing with employees in a manner intended to positively influence their thinking and behavior to achieve a desired level of performance” (McConnell, 2004, pp. 273-274).

Many organizations have defined disciplinary systems but the steps or process can vary across businesses, both in the public and private sector. Descriptions of common infractions and subsequent sanctions, in addition to employee’s length of time in corrective action and/or an organization’s rates of involuntary dismissals may help determine effectiveness of a disciplinary system.

The performance management process is not without its challenges. A common obstacle is managers who avoid correcting performance. High manager turnover also leads to performance not being addressed. The organization incurs legal risk in issuing progressive discipline, up to and including termination, and is an additional obstacle that may involve significant time and money.
Most of the research completed in this area is descriptive, either a review of existing data or case studies including interviews with managers, employees, union representatives and human resource staff of those involved in the disciplinary process. Also, it is important to note, much of the research in this area has been conducted in Great Britain.

The following review of literature provides information about discipline including: definition, theory, models, process, common types of infractions and sanctions, disciplinary process for different classifications of employees, obstacles, labor unions, labor law, and outcomes of disciplinary process.

Definitions, Theory, Models of Discipline, Process

Definitions

Employee discipline is described in a variety of ways. Some explain it in terms of improving productivity or achieving the values of an organization (Franklin & Pagan, 2006). Greer and Labig said “discipline is an important, albeit distasteful function in almost every manager’s job as he or she attempts to control undesired behavior in the workplace” (Greer & Labig, 1987, p. 507). Webster’s Dictionary definition of discipline is “punishment” but also “a rule or system of rules governing conduct or activity” (Merriam Webster Dictionary). Punishment has been defined as “the presentation of a negative consequence in order to change undesirable subordinate behavior” (Ball, Trevino, & Sims Jr., 1994, p. 299). These descriptions together explain the employee disciplinary process or as described in some organizations, the corrective action process.
Theory/Models

Outcomes of disciplinary action according to Ball et al “may depend upon how recipients make sense of a disciplinary event (Ball, Trevino, & Sims Jr., 1994, p. 300)”.

Some acknowledgement is given to cognitive theories, such as social learning theory and attribution theory, to help explain this “sense-making process”. They advise that a disciplined employee’s perspective on the fairness of the punishment is more pertinent than actual punishment (Ball, Trevino, & Sims Jr., 1994). This perceived justice is defined as “an evaluative judgment about the rightness of a person’s fate or treatment by others” (Ball, Trevino, & Sims Jr., 1994, p. 300).

Carlsmith, Darley and Robinson looked at the “psychology of punishment” and examined why we punish (Carlsmith, Darley, & Robinson, 2002, p. 284). The researchers conducted a validation study and then three individual studies, each of which surveyed Princeton University students (N=336, 329, 351 respectively). Students were given scenarios of harm and asked to assign harshness of punishments. The researchers used the terminology “Just Desert Theory or deservingness perspective” to mean that a person deserves to be punished appropriately based on degree and circumstances around the infractions they have committed (Carlsmith, Darley, & Robinson, 2002, p. 285). This theory is not concerned with future implications, only concerned with punishing now for type of harm committed. The researchers also explain the perspective of “deterrence” as people are punished to prevent or deter further infractions. Deterrence Theory asserts that infractions will decrease with more harsh disciplinary sanctions (Carlsmith, Darley,
& Robinson, 2002). Ultimately, the researchers suggest that although some may prefer deterrence, decisions about sanctions for infractions appear to be solely related to those deserving of the punishment (Carlsmith, Darley, & Robinson, 2002).

Liao et al studied the Deterrence Theory as it relates to misuse of the internet and their company’s internet use policies (Liao, Luo, Gurung, & Li, 2009). The researchers received 205 completed surveys from various companies, with the highest percentage of responses from education; banking, financial services, and insurance; industrial and manufacturing; and information technology respectively (Liao, Luo, Gurung, & Li, 2009). The researchers found that the employees were more worried about the severity of the sanctions for misuse than being charged with misuse (Liao, Luo, Gurung, & Li, 2009). Therefore, employees were not necessarily deterred from the infraction unless they perceived the severity of the sanction significant enough to stop them.

Social Learning Theory is also discussed in discipline research. In a later section it is considered as it relates to the impact on observers of those punished for poor performance (Ball, Trevino, & Sims Jr., 1994) (Trevino, 1992) (Bandura, Ross, & Ross, 1963).

Attribution Theory is also discussed in disciplinary research to determine the decision making process in relationship to an infraction (Klaas & Wheeler, 1990). The Attribution Theory suggests that managers make an effort to determine what caused an employee’s bad behavior and that reason impacts their decisions about corrective action. Klaas and Wheeler studied how two sample groups (19 human resource professionals from 18 different manufacturing plants and 28 frontline managers) made disciplinary decisions when confronted with 64 different scenarios involving employee
insubordination with different reasons or circumstances surrounding the employee’s behavior, such as being provoked by their manager, having personal problems at home or how many years in their position (Klaas & Wheeler, 1990). The researchers suggested that “factors likely to affect attributions about the reason for a disciplinary problem are important determinants of disciplinary decisions” (Klaas & Wheeler, 1990, p. 129).

Henry’s four models of workplace discipline define disciplinary action as punitive-authoritarian, corrective-representative, accommodative-participative, celebrative-collective (Henry, 1987). Punitive-authoritarian discipline is “rooted in the master-servant relations of the feudal era” (Henry, 1987, p. 281). This discipline notes rules are usually negative and the failure to comply assumed to be premeditated. The sanctions for the punitive-authoritarian model may be simple and direct but involve severe punishments and involve “public humiliation or shaming” (Henry, 1987, p. 287). The corrective-representative model is a much more involved and formalized approach which includes written policies, investigations, hearings, representation for the accused, progressive disciplinary process, and right to appeal (Henry, 1987). The sanctions are also formalized and progressive with verbal and written warnings leading up to the possibility of dismissal. The accommodative-participative model is more of a negotiation between the involved parties and sanctions involve bargaining between employers and employees which usually end in compromise (Henry, 1987). Finally, the celebrative-collective discipline is more “unwritten and spontaneous” and involves groups coming to consensus (Henry, 1987, p. 309). In this informal model, rules reflect the values of the group and may change with the situation and sanctions involve reminding the individual of their role in the group to correct behavior but may lead to “shaming or expulsion from
the group” (Henry, 1987, p. 309). Based on the current review of literature, most large 
organizations, with or without labor unions, appear to be in the corrective-representative 
and accommodative-participative model categories. Some private sector organizations 
or smaller workplaces may still represent the older punitive-authoritarian model.

Other styles/models reviewed include ones by Fenley and Rollinson et al, both 
from the United Kingdom. Fenley discusses three models: punitive; corrective; 
revisionist. Punitive and corrective models resemble Henry’s first two models of 
discipline, punitive-authoritarian and corrective-representative described above. The 
revisionist model combines punishment and correction and is revealed as being of US 
origin most similar to “progressive discipline” approaches (Fenley, 1998, p. 354).

Rollinson et al, suggests three models of discipline as well: rehabilitative; 
retribution; deterrence (Rollinson, Handley, Hook, & Foot, 1997). Rehabilitative and 
retribution models resemble corrective and punitive models respectively. The deterrence 
model is introduced and is about discouraging the employee or an observer from future 
infractions based on severity of the sanctions. Rollinson et al felt that deterrence was 
arguably the most common model employed by managers as it emphasizes the negative 
outcomes of further infractions (Rollinson, Handley, Hook, & Foot, 1997).

Process of Disciplinary Action

Discipline typically involves a series of steps. Generally, the disciplinary process 
begins with coaching or verbal warning then progresses to more severe steps for repeated 
offenses. In the union or classified civil service environments, specific steps are outlined 
in collective bargaining agreements. If an employee is non-union/non-classified civil
service, organizational policies typically dictate process. If the organization has several classifications of employees, the organization may follow similar steps for all. Varieties of approaches are discussed here but many have similar attributes.

Selden defined progressive discipline as a system that “addresses behavioral or performance problems of employees through a series of standard steps with increasingly more severe punishments per repeated offense” (Selden, 2006, p. 338). The process continues until employee performance improves, the employee quits, or the employee is terminated. Progressive discipline is used as a means to coach the employee and help them meet minimum performance expectations for that organization. Objective documentation is critical. In addition to managers being fair and reasonable, they must give the benefit of doubt to the employee by ensuring them due process. “He said/she said” scenarios are very challenging situations, where wrong doing very well could have occurred but it is difficult for the manager to validate. Anonymous claims are also challenging to handle without any other just cause.

Franklin and Pagan discussed formal approaches to discipline as the “progressive sanctions approach” which involves verbal warning, written warning, suspension and then termination or a positive approach which “supplements progressive approach with coaching and development of supervisors/employee agreements to modify problem behavior” (Franklin & Pagan, 2006, p. 55). Selden also discussed “positive discipline policies” which involves more responsibility on the employee, more collaboration and a change of manager role from punishment to coaching (Selden, 2006, p. 340).

The process of discipline, including how it is given, who enforces it, and the decisions made about it, sets the stage in an organization. The disciplinary process has an
effect on the perceptions and behavior of both the employee disciplined and the observers or bystanders in the workforce (Cooke, 2006). Cooke examined the disciplinary process using case studies in nursing. Interviews were conducted with 144 stakeholders in the discipline process (directors, managers, quality managers, human resource managers, union representatives, disciplined staff nurses or staff nurse observers). Most of the staff nurses were bystanders because only a few staff nurses were still employed and available for interviews (Cooke, 2006). The researcher found that “quasi-formal discipline or hidden punishments” were used by nursing to punish staff that could not enter into the formal disciplinary process (Cooke, 2006, p. 695). Examples of “quasi-formal disciplines” or punishments found from the study interviews were that a nurse was simply moved to another unit or bullied by their manager because not enough evidence existed to proceed with formal corrective action. Cooke also found that “few managers were able to clearly articulate the outcomes they expected to achieve from disciplinary action” and that “there was an assumption (often unspoken) that punishment would cause an improvement in performance” (Cooke, 2006, p. 698). Additionally, “five out of seven union representatives interviewed shared the view that manager’s insecurity and inexperience were major factors in the excessive use of discipline” (Cooke, 2006, p. 699).

Positive attributes of an employee disciplinary process are actions which improve outcomes in the organization, the employee feels is fair, that resolve the conflict in the process (no grievance/appeal) and that give the manager a “normative framework for identifying and dealing with problem areas” (Fenley, 1998, p. 350).

Great Britain’s “Employment Act (2002) (Dispute Resolution) Regulations 2004” ensured that employers who were considering either any disciplinary sanction or
termination followed required steps including: give the employee written documentation of why they are considering disciplinary action; request that the employee attend a meeting to discuss the issues or charges (allowing the employee the “right to be accompanied”); and afford the employee with a “right to appeal” (Antcliff & Saundry, 2009, p. 111). Additionally, if the employees felt that they were treated unfairly or they wished to grieve their employer they were required to submit their complaint in writing. Then the employer was required to ask the employee to attend a formal meeting to talk about the employee’s grievance (again, the “right to accompaniment” pertained). The employer must give the grieved employee written notification of their response and finally, the employee has the right to “appeal against that decision” (Antcliff & Saundry, 2009, p. 111). The processes for unionized employees are similar in the United States.

In Britain, appeals go to employment tribunals. These rules were to help decrease the appeals and strongly encourage employers to use the extensive process discussed above before appealing to employment tribunals (Antcliff & Saundry, 2009). Between 2003 and 2005, the number of appeals/claims to tribunals decreased from 63,364 to 52,000, although it is not known if this is due to better conflict resolution or if “mandatory steps” required by legislation made it more difficult to appeal (Antcliff & Saundry, 2009, p. 104). Disciplinary processes may help alleviate number of appeals if conflict resolution occurs during the process.

Forman and Merrick define discipline as “instructive, a way to correct errant behavior” (Forman & Merrick, 2003, p. 65). Additionally, formal discipline with all the required steps discussed above is beneficial as a documented record for appeals to higher management levels, human resources, grievances and even appeals to Equal Employment
Opportunity Council (EEOC) (Forman & Merrick, 2003). They outline four keys to an effective disciplinary process: “action must fit the offense” (minor or major infractions are treated appropriately based on severity of behavior); “rules should be known”, (employee should be informed of the policies); “corrective action should be predictable” (employee should know this will be the outcome); “steps of discipline should be progressive” (Forman & Merrick, 2003, pp. 65-67).

Many organizations use the progressive disciplinary process to guide corrective action. Managers are encouraged to follow “the abc’s of employee discipline: act, be fair, consider the facts” (Cottringer, 2003, pp. 5-6). Employees must be given due process. McCabe suggests that the “art of employee discipline” is to “create a flexible discipline policy” in which you “know your workforce, have flexibility to make a disciplinary decision and ensure consistent application” (McCabe, 2004, p. 5). Objective documentation by the manager is critical as a record of the facts, situations and discussions surrounding the disciplinary action. A variety of approaches are used to achieve these goals.

Types of Infractions and Sanctions

Rule breaking behaviors in the workplace are common and managers must take action to address these behaviors consistently. Employees may have deficits in skill, knowledge or motivation that result in behaviors requiring corrective action. Rollinson et al cites that “3.5% of the working population” in Great Britain “is subject to disciplinary action each year” (Rollinson, Handley, Hook, & Foot, 1997, p. 283). Employee behavior issues vary and may include absenteeism, neglect of duty, policy violations,
conduct unbecoming or misconduct, insubordination, harassment, workplace violence and theft.

Rollinson et al completed a study of 44 interviewed subjects from working positions in manufacturing (22), public service (11), retail/distribution (9) or private services (2), who were in the disciplinary process (Rollinson, Handley, Hook, & Foot, 1997). Types of infractions observed were “absenteeism, work standards or performance, timekeeping, verbal abuse/insubordination, health and safety infringement, drinking, fighting, theft/fraud” (Rollinson, Handley, Hook, & Foot, 1997, p. 302). Additionally they examined the employees past disciplinary record, including whether the employee had been in corrective action formally or informally. They found that 56% of the employees had received “mild” corrective action prior to the new action against them (Rollinson, Handley, Hook, & Foot, 1997, p. 303). The sanctions taken against the employees mostly involved a lack of privileges or loss of financial bonuses and typically were imposed for six months to a year (Rollinson, Handley, Hook, & Foot, 1997).

Absenteeism

Employee absenteeism is a problem for most organizations. Absenteeism affects an organization’s budget, productivity, morale and use overtime and temporary labor. Mercer, a human resources consulting organization, conducted a survey that examined the total cost of employee absence for Kronos Incorporated, a workforce management solutions company (Mercer LLC and Kronos Incorporated, 2010). The Survey on the Total Financial Impact of Employee Absences had responses from 276 organizations, the largest number from health care employers, and was completed online in spring of 2010.
The report examined the costs in terms of classification of employees (exempt, nonexempt salaried, nonexempt hourly and union hourly) and type of absences (unplanned, planned, extended). The total costs of direct (pay to the employee for time not worked) and indirect (replacement labor costs and lost productivity examples) absences costs averaged 35% of total annual salaries and wages paid for benefits eligible U.S. employees (Mercer Health and Benefits LLC, 2010). Specifically, these costs were “28.5 percent for exempt employees, 36.4 percent for non-exempt salaried, 39.1 percent for non-union hourly and 38.1 percent for union hourly” (Mercer Health and Benefits LLC, 2010, p. 12). The study reported the total cost of employee unplanned absences, those which management often try to minimize, as 8.7 percent of payroll, including “incidental and extended disability absences” (Mercer LLC and Kronos Incorporated, 2010, p. 1). Additionally, the number of unplanned absences per employee averaged 5.4 days per year but varied by classification with “3.9 days for exempt employees, 4.9 days for non-exempt salaried, 5.8 days for non-union hourly and 7.3 days for union hourly” (Mercer Health and Benefits LLC, 2010, p. 16). Finally, the study estimated all supervisors spend an average of 2.8 hours per week tracking employees’ absence issues and, specifically, in health care organizations at 3.7 hours per week (Mercer Health and Benefits LLC, 2010).

**Types of Sanctions or Outcomes**

The Cooke study described above, which collected and analyzed 76 disciplinary case studies in nursing by conducting 144 stakeholder interviews, found the following types of outcomes in their findings: ‘resignation(17), dismissal(12), moved/demoted(9),
long term sick leave(9), verbal written warning(8), exoneration/case dropped(5), retraining(4), suicide(1), unresolved/unknown (11)” (Cooke, 2006, p. 17).

Knight and Latrielle used the data from Great Britain’s 1998 Workplace Employee Relations Survey (WERS98) to examine rates of disciplinary sanctions and termination, including appeals for unfair termination (Knight & Latrielle, 2000). The researchers used responses of managers from the WERS98 data and examined three dependent variables: “disciplinary sanction rate per 100 employees, dismissal rate per 100 employees and incidence of claims for unfair dismissal during the 12 months preceding the survey” (Knight & Latrielle, 2000, p. 537). The study considered worker (i.e. age, gender, and ethnicity) and workplace characteristics (i.e. workplace size and union representation) and found that workplace disciplinary sanction and dismissal rates varied among them (Knight & Latrielle, 2000). Knight and Latreille indicated a positive relationship between workplace size, disciplinary sanctions and dismissal (Knight & Latrielle, 2000). One in seven organizations who dismiss employees “experience an unfair dismissal claim to an employee tribunal” in the United Kingdom” (Knight & Latrielle, 2000, p. 542). Additionally, the creation of high commitment management workplaces, those which increase employee committee in an organization, has had little or no impact on formal sanction rates (Knight & Latrielle, 2000).

Antcliff and Saundry used the data from the 2004 Workplace Employee Relations Survey (WERS04) to explore the influence of Great Britain’s “statutory right of accompaniment” at grievances and in disciplinary processes on disciplinary sanction rates, terminations and appeals (Antcliff & Saundry, 2009, p. 100). The WERS04 included all workplaces in Great Britain, except agriculture, fishing, mining and
quarrying, which employed five or more employees. The survey includes data about grievances, disciplinary processes and workplace characteristics. Antcliff and Saundry used both manager interview data and pre-interview manager questionnaires from 2,229 workplaces, a 64 percent response rate (Antcliff & Saundry, 2009). Impact of representation will be discussed later but Antcliff supported Knight and Latrielle’s finding in general, rates of disciplinary action and terminations increase with workplace size (Antcliff & Saundry, 2009). They suggested that “informal and personal nature of employment relations in small firms; employers with close personal relationships with employees may be less likely to take formal sanctions and instead opt to try and resolve matters informally” (Antcliff & Saundry, 2009, p. 114).

An infraction that appears to be on the rise is misuse of the internet at work (Liao, Luo, Gurung, & Li, 2009). Liao et al examined 205 surveys from employees about how their company monitored internet usage and found that “punishment severity”, not punishment certainty, significantly influenced the employees’ “subjective norm towards Internet misuse avoidance” (Liao, Luo, Gurung, & Li, 2009, p. 56). Therefore, suggesting employees responded more to how harsh the penalty was for internet misuse, instead of knowing they would be punished. Implications point to more severe punishment for infractions an organization wants to deter.

Classifications of Staff and Differences in Disciplinary Process

Civil Service Act of 1883 first attempted to “establish a merit system for Federal employment” however individual departments continued to control compensation (Buckley, 2009, p. 36). Employee job classifications have been established by duties and
responsibilities since the Classification Act of 1923 (Buckley, 2009). The primary purpose of these acts and the Classification Act of 1949 which followed was to classify “positions according to duties and responsibilities, along with applying the same standards across all Federal agencies” (Buckley, 2009, p. 37). Examples of job title classifications are Administrative and Professional (A&P), Classified Civil Service (CCS), Professional and Technical (P&T) and others whose title may be linked directly to an organization’s labor union. Titles which exist under each of these job classifications are specified by the organization and reviewed based on duties, responsibilities, supervisory roles, and minimum qualifications. A few examples of titles in health care are: Staff Nurse, Patient Care Associate, Medical Lab Technologist, Patient Care Coordinator, Sales Assistant, Office Associate, and Food Preparation Worker.

Managers must follow different rules and processes for disciplinary action, based on an employee’s job classification. For example, civil service systems provide employees specific organizational and due process rights before termination for cause (Wallihan, 2003) (Selden, 2006). Unionized employees disciplinary process is dictated by collective bargaining agreements and an organization may have more than one of those to follow. Disciplinary steps vary based upon different classifications.

Obstacles of Disciplinary Process

Managers in the public sector generally don’t have authority to terminate (Selden, 2006). As discussed previously, specific processes usually must be followed that can be time consuming.
Some private sector businesses have an at-will policy and may simply remove someone from the schedule instead of using the disciplinary process. Employment at-will generally means the employer’s right to terminate an employee without a reason and that employee’s right to leave when they want. Private sector businesses in the United States have used this type of system; however, fears of litigation for wrongful termination as well as federal and state laws protecting employees have placed limits on terminations for both private and public sector businesses (Selden, 2006). Therefore, it may benefit both private and public organizations to require formal steps for discipline.

Some managers may acknowledge a performance issue, coach the employee and document the situation; however, another manager may decide it is not worth his/her time. Managers may determine if discipline is needed based on the employee’s past performance and by the employee’s personality instead of the actual performance (Franklin & Pagan, 2006). Following consistent disciplinary processes over time may help managers avoid grievances, legal concerns and unnecessary turnover (Franklin & Pagan, 2006).

Progressive discipline generally includes a series of steps which have increasingly more severe sanctions or penalties for repeated offenses. The process typically begins with a coaching or verbal warning. Discipline for tardiness or attendance usually is consecutive written warnings which do not include a suspension as organizations do not want to reward attendance offenses with “time off work”. The written warning can have several steps depending on the organization but often can lead to dismissal or termination. Managers and human resources personnel usually have discretion to skip steps if the behavior endangers others or is a severe infraction.
Progressive discipline is more consistent, may benefit the organization by improving performance to minimum standards and lowering turnover related costs, such as recruiting and hiring new employees, and involves documentation which can decrease risk for discrimination claims; however, progressive discipline is not without its obstacles (Segal, 2009). Segal notes the legal risk of retaliation, where an employee can use the “retaliation claim” against a manager after receiving a step in corrective action, even if no proof of retaliation exists (Segal, 2009). This retaliation can make it more difficult to take further action against an employee due to additional claims of retaliation. Segal reported “the number of retaliation claims between 2006 and 2007 increased by eighteen percent”, the United States Equal Employment Opportunity Commission’s biggest percent change of all claims (Segal, 2009, p. 69). Organizations can help avoid the obstacle of retaliation claims by: including retaliation information in policies, training managers on risk of retaliation and what should be documented in public record, being thoughtful about each step in progressive discipline, documenting any delays in discipline steps, including timeframe for improvement in formal discipline steps, consulting with Human Resources consultant, and considering the risk of retaliation claims prior to progressive discipline that is not termination (Segal, 2009).

Guide for Managers

Performance management is defined as “the art and science of dealing with employees in a manner intended to positively influence their thinking and behavior to achieve a desired level of performance” (McConnell, 2004, pp. 273-274). Corrective, disciplinary or punishment processes are part of performance management but should be
delivered constructively and should always involve an explanation of “why” to the employee (McConnell, 2004, p. 275). Although most literature says it should be delivered only when absolutely needed because of the potential negative outcomes, some literature suggests that discipline can have positive outcomes (Trevino, 1992). Trevino suggests a “framework” for considering the “behaviors, thoughts, feelings of observers” of the corrective action process, not just the violators (Trevino, 1992, p. 669). Managers should consider the potential negative outcomes from this group and the “opportunity to influence the social learning and justice evaluations of observers” while still being confidential (Trevino, 1992, p. 669).

Managers should also consider the “justice perspective.” Punishment perceived to be fair (vs. unfair) may be perceived more positively by employees; knowing the employees personally could help guide the manager to improve communication about the punishment, explaining why it is positive or constructive, giving the employee opportunity to give feedback (control), and discussing appropriate punishment for the infraction and how it is consistent with others in the same scenario (Ball, Trevino, & Sims Jr., 1994).

Cole examined perceptions of justice using hypothetical scenarios that described different disciplinary situations read by 1,449 undergraduate students who imagined themselves as the employee in the scenarios (Cole, 2008). “Reframing” by the manager when discussing disciplinary actions with employees may increase their perception of fairness (Cole, 2008, p. 115). Reframing puts a more positive perspective on the corrective action and encourages the employee “to take charge of the situation by changing their problematic behavior” (Cole, 2008, p. 109). Additionally, the study
supported the attribution theory, when the employee acknowledges personal reason and accepts responsibility for their own behavior; they see it as more fair.

It is important for managers to follow rules when dealing with employee discipline. Jacobs compared interviewing employees regarding performance to the requirement of “Miranda rights”, employees must receive due process and managers follow appropriate conduct when questioning employees (Jacobs, 2010, p. 100). Additionally, employee-manager relationships after corrective action may have an impact. Rollinson suggests that “good post-handling relations” may lead to employees understanding work requirements better, following those rules and having a more positive relationship with their manager (Rollinson, Handley, Hook, & Foot, 1997, p. 297).

Disciplinary Process Outcomes

A study in Great Britain of data from the Workplace Employment Relations Survey of 2004 (WERS 2004) was also discussed in an earlier section on types of sanctions (Antcliff & Saundry, 2009). The WERS 2004 also contained information about disciplinary process and grievances in addition to characteristics, such as size of the workplace. The researchers used interviews with involved staff and investigated the “role of employee representation in shaping disciplinary outcomes” and examined “rate of disciplinary sanctions per 100 employees, the rate of dismissals per 100 employees and the rate of applications to an employment tribunal per 100 employees” (Antcliff & Saundry, 2009, p. 106). The researcher’s ultimately suggested that labor unions and their representatives for employees could “be influential in facilitating the resolution of workplace disputes” (Antcliff & Saundry, 2009, p. 100). They concluded that the right to
representation (“accompaniment”) guarantees that at risk staff “get support and advice”, limits unjustified severe punishments, opens “channels of communication” to avoid unnecessary disciplinary actions or terminations, and prevents legal issues faced by employers when employees are not represented (Antcliff & Saundry, 2009, p. 115). Additionally, this study found that disciplinary sanctions still occurred with or without representation, suggesting that once an employee has reached this step in the process, chance of reversal is minimal (Antcliff & Saundry, 2009). Other studies in Great Britain, such as Knight and Latrielle discussed earlier and Saundry, et al, support that the labor union representatives may help decrease discipline and terminations by using more informal processes, prior to formal discipline (Saundry, Jones, & Antcliff, 2011) (Knight & Latrielle, 2000).

Additional research in the United Kingdom reviewed case studies in a variety of organizations, conducted interviews with human resource managers, trade union representatives, operational managers, and companions of non-union employees in disciplinary action and discussed the role of trade unions, specifically the role of the trade union representative or another support person in the disciplinary process (Saundry, Jones, & Antcliff, 2011). Researchers found that a strong union with experience, good relationships with the organization and manager can improve informal outcomes for the employee in disciplinary process (Saundry, Jones, & Antcliff, 2011). Good outcomes could be that the employee improves his/her performance and avoids further infractions. However, the researchers did not find the same result with the non-union employee; specifically they found no effect for that employee who brought a support person during the disciplinary process (Saundry, Jones, & Antcliff, 2011).
A study examined terminations in the United States public sector, specifically in government, using data in Government Performance Project (GPP) in August 2004 (Selden, 2006). The GPP data collected were through online surveys sent typically to the state’s budgeting office and then forwarded to the central human resources directors of each state. The director completed the human resource management section of the online survey and also sent the state’s discipline and termination policies to the researcher. Forty-one states participated, providing an 82 percent response rate. Researchers studied the state’s disciplinary processes and the impact of it on number of terminations, factors affecting willingness to terminate, and the time it took to terminate for behavior or performance issues. States that had a standardized disciplinary system terminated fewer employees. In addition, states where discipline process fluctuated among various labor contracts terminated fewer employees. It was found that differences between multiple labor contracts were “the most important predictor of state dismissal rates” (Selden, 2006, p. 344). Only one thing led to increase in terminated employees and that was when the states allowed managers the power to terminate and they terminated 7% more of its workforce.

Time to terminate for behavior versus time to terminate for performance was examined and found that those with progressive discipline systems took longer to terminate employees. Those with labor contracts mandating discipline also took longer than those without to terminate employees for behavior and performance issues. States that allowed supervisors direct control to terminate and states with employment at-will systems, both terminated more quickly (Selden, 2006). The only differing action was when authority to terminate was a central human resources function, employees with
behavior problems were terminated more quickly than those with performance issues. Researchers suggested performance issues usually require managers to document issues repeatedly; however, behavior issues may be easier to prove at one point in time (Selden, 2006). Labor union involvement was a strong predictor on both lower dismissal rates in states’ public sectors and on length of time to terminate those employees. Specifically, the “state that includes discipline and termination in its labor contract negotiations fired almost 5% less of its workforce in FY2003” (Selden, 2006, p. 346). Unions negotiate better protection for their members. Fewer terminations could benefit the organization by decreasing costs associated with recruiting, hiring and on-boarding new employees.

Rollinson et al also studied the disciplinary process, specifically the employees’ perceptions of the process and the effects on their subsequent behavior (Rollinson, Handley, Hook, & Foot, 1997). They interviewed forty-four disciplined employees still with their organization and explored their disciplinary events and how it affected the employee’s internalization and observance of rules after the fact. Rule transgressions seemed to get worse with each step in corrective action, meaning the manager only suspected it at first, but then actually observed the transgression by the later steps. None of the employees perceived the steps in corrective action as fair and the authors questioned if progressive discipline works for rule observance. The researchers suggested that rule observance or adhering to rules occurs when the “rules are clear” and clearly communicated; they are “seen as legitimate”; they “exist for the benefit of everybody”; they “are enforced in an impersonal way” (Rollinson, Handley, Hook, & Foot, 1997, p. 297). Additionally, the research further suggested that rule observance increases when hearings are seen as fair, “lack of bias and management prejudgment” and
where they see “equity” in terms of “treatment and outcomes” (Rollinson, Handley, Hook, & Foot, 1997, p. 297). Interestingly, rule observance “decreases where social support is received from colleagues” (Rollinson, Handley, Hook, & Foot, 1997, p. 297). “Good post-handling relations” with the manager could lead to better “rule internalization and observance” (Rollinson, Handley, Hook, & Foot, 1997, p. 297).

Ball et al sampled 107 supervisor/subordinate pairs with questionnaires regarding disciplinary process. Researchers found that employee control impacted “citizenship behaviors and harshness influenced subsequent performance” (Ball, Trevino, & Sims Jr., 1994, p. 313). Specifically employees who “perceive themselves as having a high degree of control over the punishment procedures and over determining the imposed punishments, citizenship behaviors were more likely to result and anticitizenship behaviors are avoided” (Ball, Trevino, & Sims Jr., 1994, p. 315). Anticitizenship behaviors are those which “detract from work-related output of an individual, include physical avoidance of or escape from work, defiance resistance to authority, aggression, and revenge (Ball, Trevino, & Sims Jr., 1994, p. 302). Also, the researchers found “that for subsequent performance to improve, it is important for a subordinate to perceive the punishment as matching the infraction and as consistent with what others have received” (harshness) (Ball, Trevino, & Sims Jr., 1994, p. 315). Ball et al additionally concluded that punishment may be less effective with those with negative affectivity versus those who have “belief in a just world”. Those who were more positive viewed their punishment as “more constructive, they had more control and less harsh” (Ball, Trevino, & Sims Jr., 1994, p. 316). The opposite was true for those more negative.
Therefore, Ball et al suggested a “model of subordinate reactions to punishment in organizations” that included the following in ascending order: (Ball, Trevino, & Sims Jr., 1994, p. 300) (Trevino, 1992)

- Employee’s personality “belief in a just world/negative affectivity” influences…
- Employee’s perception of two types of justice “procedural and distributive characteristics of a specific punishment event” which influences…
- Employees “behavioral outcome: subsequent performance, organizational citizenship behaviors (OCB’s) or anticitizenship behaviors” (OCB’s) Organizational Citizenship behaviors also discussed in (Trevino, 1992, p. 664)

A Study by Cooke discussed in an earlier section, that examined disciplinary case studies in nursing, found that outcomes were impacted by the way the hearings were conducted and led to high rates of attrition among nurses. Cooke found “no clear evidence” that discipline improved the nurse’s performance and further discussed how the stress on nurses caused them to leave the organization due to “stigma of disciplinary action” (Cooke, 2006, p. 702). However, Cooke reported a union representative saying that those in service level jobs “are bound by a code which says that all managers are bastards” and they therefore feel the support among coworkers when they are disciplined but it is “not the same for nurses” (Cooke, 2006, p. 702). Similarly, the Rollinson et al study discussed earlier suggested that employees with support of coworkers during corrective action did not feel this same shame and may be more likely to break more
rules, especially when no stigma was attached to rule breaking (Rollinson, Handley, Hook, & Foot, 1997).

Several studies emphasize the harmful impacts of inconsistent and unjust disciplinary processes, unfairness of the process which can force employees who have been disciplined to leave the organization or potential of bystander effects which may lower morale, increases rates of attrition and have negative impact on productivity (Trevino, 1992) (Rollinson, Handley, Hook, & Foot, 1997) (Cooke, 2006). Social learning theory suggests that the punishment for a behavior in one employee may deter the same behavior in another (Bandura, Ross, & Ross, 1963). Trevino suggests a framework to study organizational punishment in which managers should consider “behaviors, thoughts and feelings of observers, potentially positive or negative” as important (Trevino, 1992, p. 669).

Summary

Several studies suggest that many managers firmly believe that disciplinary processes will result in compliance with rules (Beyer & Trice, 1984) (Klaas & Wheeler, 1990) (Rollinson, Handley, Hook, & Foot, 1997). However, research about disciplinary processes, dismissals and sanctions issued in organizations are not common (Selden, 2006). Disciplinary processes can be complex and can vary among organizations and classifications of employees. If the disciplinary process is successfully used to improve employee performance, an organization will keep the employee and save valuable time and resources in not needing to hire new employees. The results of the preceding review of literature about discipline suggest that it could be beneficial to gather additional data about the disciplinary process in the workplace, to improve knowledge among both
managers and employees. The purpose of this study is to describe the outcomes of performance disciplinary action by type of position.
Chapter 3: Methods

Research Design

A retrospective review of incidences of performance actions by persons working in a Midwestern United States hospital from July 1, 2011 through June 30, 2012 was conducted. Information was obtained from a data base provided by the Human Resources Office. This study was determined exempt by The Ohio State University Institutional Review Board. Data collected included position titles, classification of position (unionized, civil service, or professional), requested disciplinary action, actual outcome issued to the employee, nature of incident (attendance or performance) and issue date of the disciplinary action.

The purpose of this study was to describe the outcomes of performance disciplinary actions by type of position.

Research Questions

The data collection and data analysis process answered the following questions:

1. What is the frequency of disciplinary actions by type of classification and title category (unionized, non-unionized, classifications)?

2. What is the frequency of type of disciplinary infraction (attendance or performance) by classification and title category (unionized, non-unionized, classifications)?
3. What is the frequency of types of disciplinary action outcomes by type of classification and title category?

4. What is the difference between the disciplinary action requested and the outcome received?

5. What is the frequency of disciplinary action outcomes with one or more steps in disciplinary process and what is the description of employees with one or more disciplinary action steps, including length of time in the disciplinary process?

Sample, Instrumentation and Data Collection

Data regarding the performance of 750 employees collected from a data base was provided by the Human Resources Department. Four employees were removed from the data base due to missing outcomes and issue dates. Another employee was removed because they were a single representative from the “administrative and professional” title classification. Additionally, six incidences of multiple steps were omitted due to duplicate information or missing data. For the 745 employees maintained, 858 incidences of performance disciplinary action occurred, as 97 employees had more than one step, adding 113 incidences during the year. This data is public record and was provided de-identified.

A sample data collection sheet indicating specific sources of each data point is included in Appendix A. The specific data collected included the following:
• position title (110 different titles categorized by researcher into either allied health; nursing; nursing support; environmental and food services; facilities, supplies and environment; or office, clerical and business),
• classification (classified civil service, nursing union, skilled trades union, professional and technical),
• disciplinary action requested (11 actions categorized by researcher into one of the following: written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan, or corrective action),
• nature of the infraction (attendance or performance),
• actual outcome received (21 outcomes categorized by researcher based on severity into one of the following: no action issued, written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan), and
• issue date of disciplinary action received.

If more than a single step occurred, specific additional data for each step included disciplinary action requested, nature of the infraction, actual outcome received, and issue date of disciplinary action received in same format as previously described.

Data Analysis

Analysis of this data was conducted to investigate the frequency and type of disciplinary action. Frequency counts and percentages were calculated to determine frequency of disciplinary actions by title classification and title category, frequency of type of
infraction by title classification and title category, frequency of outcomes issued by title classification and title category, frequency and difference between the action requested and outcome received and frequency of outcomes of a one or greater disciplinary action steps. Means and standard deviations were calculated to determine range of time between issue dates. Statistical analysis of data was calculated using SPSS software (Version 19).
Chapter 4: Results and Discussion

Results

The purpose of this study was to describe the outcomes of performance disciplinary actions by type of position.

Subjects

A retrospective review of incidences of performance disciplinary actions by persons working in a Midwestern United States hospital from July 1, 2011 through June 30, 2012 was conducted. Data regarding the performance of 750 employees was collected from a database provided by the Human Resources Department. Four employees were removed from the database due to missing outcomes and issue dates. Another employee was removed because they were a single representative from the “administrative and professional” title classification. Additionally, six incidences of multiple steps were omitted due to duplicate information or missing data. For the 745 employees remaining, 858 incidences of performance disciplinary action occurred, including the 97 employees with greater than a single step, accounting for 113 incidences during the year.

The specific data collected included position title (categorized by researcher as either allied health; nursing; nursing support; environmental and food services; facilities, supplies and environment; or office, clerical and business), classification (classified civil service, nursing union, skilled trades union, professional and technical), disciplinary
action requested (categorized written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan, or corrective action), nature of the infraction (attendance or performance), actual outcome received (categorized by researcher into the following: no action issued, written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan), and issue date of disciplinary action received. If more than a single step occurred, specific additional data for each step included disciplinary action requested, nature of the infraction, actual outcome received, and issue date of disciplinary action received in same format as described.

Data was analyzed using the employee’s initial step in disciplinary action during the studied fiscal year 2011-2012 for the following research questions.

1. What is the frequency of disciplinary actions by type of classification and title category (unionized, non-unionized, classifications)?

2. What is the frequency of type of disciplinary infraction (attendance or performance) by classification and title category (unionized, non-unionized, classifications)?

3. What is the frequency of types of disciplinary action outcomes by type of classification and title category?

4. What is the difference between the disciplinary action requested and the outcome received?

All data collected for the 97 persons with greater than one step in disciplinary action was used to answer the following question.
5. What is the frequency of disciplinary action outcomes with one or more steps in disciplinary process and what is the description of employees with one or more disciplinary action steps, including length of time in the disciplinary process?

Process of Disciplinary Action in Site

The organization has usual steps in the disciplinary action process that is based upon title classification as follows:

- **Unionized Nursing:** Written Reprimand, Final Written Reprimand and Termination (Probationary Removal if nurse in probation)
- **Professional and Technical:** Written Reprimand, Minor Suspension, Major Suspension, Termination
- **Classified Civil Service:** Written Coaching, Level One Notice, Level Two Notice, Termination (Probationary Removal if the staff member is still in probation)
- **Service/Skilled Trade Union:** Documented Constructive Counseling, First Notice, Second Notice Suspension, Third Notice Suspension (8+ years of service), Termination (Probationary Removal if the union member is still in probation)

Additionally, it is also important to note that first steps (such as written reprimand, written coaching and documented constructive counseling) and second steps (such as minor suspensions, level one notices) remain active for one year and any
additional infractions result in the next step in progressive disciplinary action. Major suspensions remain active for two years and during that time, any further infraction would result in the next step in the progressive disciplinary process.

Analysis of Research Questions

1. What is the frequency of disciplinary actions by type of classification and title category (unionized, non-unionized, classifications)? See Table 1.

<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Total employees in the classification</th>
<th>Total employees by classification with at least one step in the disciplinary process fiscal year 2011-2012</th>
<th>Percent of total employees by classification with at least one step in disciplinary process fiscal year 2011-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing and Service/Skilled Trades) Total</td>
<td>3,553</td>
<td>233 (31.3%)</td>
<td>6.6%</td>
</tr>
<tr>
<td>• Service and Skilled Trades Union</td>
<td>666</td>
<td>78</td>
<td>11.7%</td>
</tr>
<tr>
<td>• Nursing Union</td>
<td>2,887</td>
<td>155</td>
<td>5.4%</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service and Professional &amp; Technical) Total</td>
<td>5,265</td>
<td>512 (68.7%)</td>
<td>9.7%</td>
</tr>
<tr>
<td>• Classified Civil Service</td>
<td>1,492</td>
<td>132</td>
<td>8.8%</td>
</tr>
<tr>
<td>• Professional and Technical</td>
<td>3,773</td>
<td>380</td>
<td>10.1%</td>
</tr>
<tr>
<td>Totals</td>
<td>8,818</td>
<td>745</td>
<td>8.4%</td>
</tr>
</tbody>
</table>

Table 1: Frequency of disciplinary action by title classification, unionized, non-unionized
Of the 8,818 employees in a health care organization, 745 (8.4%) entered disciplinary action during a one year timeframe. By classification, the highest percentage of total number of employees in the disciplinary action process were Service and Skilled Trades Union (N= 666; n=78; 11.7%) followed by Professional and Technical (N=3,773; n= 380; 10.1%). Of the total employees in disciplinary action (N=745), Non-Unionized (Classified Civil Service and Professional and Technical (N = 745; n= 512; 68.7%) had the highest number of employees. Unionized Nursing and Service/Skilled Trades Union (N=745; n=233; 31.3%) had a lower percentage of total employees in the disciplinary process during a one year timeframe. This lower percentage of unionized staff members, as a group, may be attributed to union representation for bargaining unit members during disciplinary action, in addition to the standard process established by collective bargaining agreements to ensure consistency in disciplinary outcomes may be a lengthy process.

2. What is the frequency of type of disciplinary infraction (attendance or performance) by classification and title category (unionized, non-unionized, classifications)? See Tables 2 and 3.
<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Total employees with at least one step in the disciplinary process fiscal year 2011-2012 N=745</th>
<th>Frequency and Percentage of employees whose infraction was: Attendance n=321</th>
<th>Frequency and Percentage of employees whose infraction was: Performance n=424</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing and Service/Skilled Trades) Total</td>
<td>233</td>
<td>98</td>
<td>135</td>
</tr>
<tr>
<td></td>
<td>31.3%</td>
<td>42.1%</td>
<td>57.9%</td>
</tr>
<tr>
<td>• Service and Skilled Trades Union</td>
<td>78</td>
<td>45</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>57.7%</td>
<td>42.3%</td>
<td></td>
</tr>
<tr>
<td>• Nursing Union</td>
<td>155</td>
<td>53</td>
<td>102</td>
</tr>
<tr>
<td></td>
<td>34.2%</td>
<td>65.8%</td>
<td></td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service and Professional &amp; Technical) Total</td>
<td>512</td>
<td>223</td>
<td>289</td>
</tr>
<tr>
<td></td>
<td>68.7%</td>
<td>43.6%</td>
<td>56.4%</td>
</tr>
<tr>
<td>• Classified Civil Service</td>
<td>132</td>
<td>61</td>
<td>71</td>
</tr>
<tr>
<td></td>
<td>46.2%</td>
<td>53.8%</td>
<td></td>
</tr>
<tr>
<td>• Professional and Technical</td>
<td>380</td>
<td>162</td>
<td>218</td>
</tr>
<tr>
<td></td>
<td>43.0%</td>
<td>57.0%</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>745</td>
<td>321</td>
<td>424</td>
</tr>
<tr>
<td></td>
<td>43.1%</td>
<td>56.9%</td>
<td></td>
</tr>
</tbody>
</table>

Table 2: Frequency of type of infraction by title classification; unionized or non-unionized

By classification, the overall percentages of total employees with attendance and performance type infractions are similar for Unionized Nursing and Service/Skilled Trades employees (N=233, n=98, 42.1% attendance infractions; N=233; n=135, 57.9% performance infractions) and Non-Unionized Classified Civil Service and Professional and Technical (N=512, n=233, 43.6% Attendance infractions; N=512, n=289, 56.4%)
performance infractions). However, among Unionized employees and in comparison to other Non-Unionized classifications, attendance infractions are highest among Unionized Service and Skilled Trade (N=78, n=45, 57.7%) employees; whereas, performance infractions are highest among Unionized Nursing (N=155, n=102, 65.8%) employees. Overall, all title classifications except Unionized Service and Skilled Trades (N=78, n=33, 42.3%) performance infractions are more common among Unionized Nursing (N=155, n=102, 65.8%), Classified Civil Service (N=132, n=71, 53.8%) and Professional and Technical (N=380, n=218, 57.0%) employees. Among all employees in disciplinary process during a one year time frame (N=745), performance infractions (n=424, 56.9%) were more frequent than attendance infractions (n=321, 43.1%).

<table>
<thead>
<tr>
<th>Title Category</th>
<th>Total employees with at least one step in the disciplinary process fiscal year 2011-2012 N=745 n (total by category) % of total by category</th>
<th>Frequency and Percentage of employees whose infraction was: Attendance (n=321) n % of total by category</th>
<th>Frequency and Percentage of employees whose infraction was: Performance (n=424) n % of total by category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing</td>
<td>211 28.3%</td>
<td>63 29.9%</td>
<td>148 70.1%</td>
</tr>
<tr>
<td>Nursing Support</td>
<td>174 23.3%</td>
<td>95 54.6%</td>
<td>79 45.4%</td>
</tr>
<tr>
<td>Allied Health</td>
<td>145 19.5%</td>
<td>58 40.0%</td>
<td>87 60.0%</td>
</tr>
<tr>
<td>Office, Clerical and Business</td>
<td>119 16.0%</td>
<td>54 45.4%</td>
<td>65 54.6%</td>
</tr>
<tr>
<td>Environmental and Food Services</td>
<td>69 9.3%</td>
<td>44 63.8%</td>
<td>25 36.2%</td>
</tr>
<tr>
<td>Facilities, Supplies and Environment</td>
<td>27 3.6%</td>
<td>7 25.9%</td>
<td>20 74.1%</td>
</tr>
</tbody>
</table>

Table 3: Frequency of the type of infraction (attendance or performance) by title category
As shown in Table 3, all the employees in the disciplinary process during a one year timeframe (N=745) had 110 different titles which the researcher categorized into one of six groups based on duties and functions: Nursing (211, 28.3%); Nursing support (174, 23.3%); Allied Health (145, 19.5%); Office, Clerical and Business (119, 16.0%); Environmental and Food Services (69, 9.3%) and Facilities, Supplies and Environment (27, 3.6%).

Environmental and Food Service (N=69, n=44, 63.8%) and Nursing Support (N=174, n=95, 54.6%) employees had higher percentage of attendance infractions within their title categories. Facilities, Supplies and Environment (N=27, n=20, 74.1%); Nursing (N=211, n=148, 70.1%); Allied Health (N=145, n=87, 60.0%) and Office, Clerical, Business (N=119, n=65, 54.6%) employees had higher percentage of performance infractions within their title categories.

Among all employees in disciplinary process during a one year time frame (N=745), performance infractions (n=424, 56.9%) were more frequent than attendance infractions (n=321, 43.1%). Of the total number of performance infractions (N=424), Nursing (n=148, 35.0%) employees had the highest percentage. Of the total number of attendance infractions (N=321), Nursing support (n=95, 29.6%) employees had the highest percentage.

3. What is the frequency of types of disciplinary action outcomes by type of classification and title category? See Tables 4 and 5
<table>
<thead>
<tr>
<th>Title Category</th>
<th>Written Reprimand</th>
<th>Minor Suspension</th>
<th>Termination</th>
<th>Major Suspension</th>
<th>Resignation, “in lieu of” action</th>
<th>Performance Improvement Plan</th>
<th>No Action Issued</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allied Health</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>15</td>
<td>6</td>
<td>1</td>
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<td>1.7%</td>
<td>2.8%</td>
<td>100.0%</td>
</tr>
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<td>50.0%</td>
<td>19.5%</td>
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<td></td>
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<td></td>
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<td>5</td>
<td>2</td>
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<td>6.6%</td>
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<td>2.4%</td>
<td>0.9%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>33.6%</td>
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<td>15.7%</td>
<td>40.0%</td>
<td>40.5%</td>
<td>45.5%</td>
<td>25.0%</td>
<td>28.3%</td>
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<td>Nursing Support</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n</td>
<td>87</td>
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<td>25</td>
<td>17</td>
<td>11</td>
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<td>N=174</td>
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<td>14.4%</td>
<td>9.8%</td>
<td>6.3%</td>
<td>1.1%</td>
<td>1.1%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>21.3%</td>
<td>29.4%</td>
<td>28.1%</td>
<td>20.0%</td>
<td>26.2%</td>
<td>18.2%</td>
<td>25.0%</td>
<td>23.3%</td>
</tr>
<tr>
<td>Environmental and Food Services</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n</td>
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<td>13</td>
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<td>2.9%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>6.6%</td>
<td>19.6%</td>
<td>14.6%</td>
<td>8.2%</td>
<td>4.8%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>9.3%</td>
</tr>
<tr>
<td>Facilities, Supplies and Environment</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n</td>
<td>13</td>
<td>5</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>N=27</td>
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<tr>
<td>--% title category</td>
<td>48.1%</td>
<td>18.5%</td>
<td>11.1%</td>
<td>3.7%</td>
<td>11.1%</td>
<td>7.4%</td>
<td>0.0%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>3.2%</td>
<td>4.9%</td>
<td>3.4%</td>
<td>1.2%</td>
<td>7.1%</td>
<td>18.2%</td>
<td>0.0%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Office Clerical and Business</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>n</td>
<td>73</td>
<td>13</td>
<td>18</td>
<td>11</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>N=119</td>
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<td>10.9%</td>
<td>15.1%</td>
<td>9.2%</td>
<td>2.5%</td>
<td>0.8%</td>
<td>0.0%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>17.9%</td>
<td>12.7%</td>
<td>20.2%</td>
<td>12.9%</td>
<td>7.1%</td>
<td>9.1%</td>
<td>0.0%</td>
<td>16.0%</td>
</tr>
<tr>
<td>Totals</td>
<td>N=408</td>
<td>N=102</td>
<td>N=89</td>
<td>N=85</td>
<td>N=42</td>
<td>N=11</td>
<td>N=8</td>
<td>N=745</td>
</tr>
<tr>
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<td>54.8%</td>
<td>13.7%</td>
<td>11.9%</td>
<td>11.4%</td>
<td>5.6%</td>
<td>1.5%</td>
<td>1.1%</td>
<td>100.0%</td>
</tr>
<tr>
<td>--% within outcome</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 4: Frequency of type of disciplinary outcome issued by category
<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Written Reprimand n</th>
<th>Minor Suspension n</th>
<th>Termination n</th>
<th>Major Suspension n</th>
<th>Resignation, “in lieu of” n</th>
<th>Performance Improvement Plan n</th>
<th>No Action Issued n</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing, Service and Skilled Trades) --% within classification --% within outcome</td>
<td>122</td>
<td>22</td>
<td>27</td>
<td>40</td>
<td>18</td>
<td>2</td>
<td>2</td>
<td>N= 233</td>
</tr>
<tr>
<td></td>
<td>52.4%</td>
<td>9.4%</td>
<td>11.6%</td>
<td>17.2%</td>
<td>7.7%</td>
<td>0.9%</td>
<td>0.9%</td>
<td>100.0%</td>
</tr>
<tr>
<td></td>
<td>29.9%</td>
<td>21.6%</td>
<td>30.3%</td>
<td>47.1%</td>
<td>42.9%</td>
<td>18.2%</td>
<td>25.0%</td>
<td>31.3%</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service; Professional and Technical) --% within classification --% within outcome</td>
<td>286</td>
<td>80</td>
<td>62</td>
<td>45</td>
<td>24</td>
<td>9</td>
<td>6</td>
<td>N= 512</td>
</tr>
<tr>
<td></td>
<td>55.9%</td>
<td>15.6%</td>
<td>12.1%</td>
<td>8.8%</td>
<td>4.7%</td>
<td>1.8%</td>
<td>1.2%</td>
<td>100.0%</td>
</tr>
<tr>
<td></td>
<td>70.1%</td>
<td>78.4%</td>
<td>69.7%</td>
<td>52.9%</td>
<td>57.1%</td>
<td>81.8%</td>
<td>75.0%</td>
<td>68.7%</td>
</tr>
<tr>
<td>Totals --% within classification --% within outcome</td>
<td>N=408</td>
<td>N=102</td>
<td>N=89</td>
<td>N=85</td>
<td>N=42</td>
<td>N=11</td>
<td>N=8</td>
<td>N= 745</td>
</tr>
<tr>
<td></td>
<td>54.8%</td>
<td>13.7%</td>
<td>11.9%</td>
<td>11.4%</td>
<td>5.6%</td>
<td>1.5%</td>
<td>1.1%</td>
<td>100.0%</td>
</tr>
<tr>
<td></td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 5: Frequency of type of disciplinary outcome by classification
The frequency of type of disciplinary outcome issued by title category is summarized in Table 4. Of total employees who received outcomes in the disciplinary process (N=745) during a one year time frame, a written reprimand (N=745, n=408, 54.8%) was the most common outcome issued in all title categories. Specifically, written reprimand outcomes (N=408) accounted for the largest frequency and percentage in every title category, Nursing (n=137, 33.6%), Nursing Support (n=87, 21.3%), Office (n=73, 17.9%), Allied Health (n=71, 17.4%), Environmental and Food Service (n=27, 6.6%) and Facilities, Supplies and Environment (n=13, 3.2%). Since the written reprimand (or written coaching) is the first official step in the organizations disciplinary process, it is expected most often during a one year time frame.

Of the total number of issued outcomes (N=745), minor suspensions accounted for the second most common outcome (n=102, 13.7%). The highest percent of minor suspensions occurred within title categories Allied Health (N=102, n=32, 31.4%), Nursing Support (N=102, n=30, 29.4%), and Environmental and Food Services (N=102, n=20, 19.6%).

Terminations (N=745, n=89, 11.9%) accounted for the third most common outcome, followed closely by major suspensions (N=745, n=85, 11.4%). The highest number of terminations occurred among Nursing Support (N=89, n=25, 28.1%) and Office, Clerical, Business (N=89, n=18, 20.2%) and Allied Health (N=89, n=16, 18.0%).

Of the total number of major suspensions, Nursing (N=85, n=34, 40%) had the highest percentage followed by nursing support (N=85, n=17, 20.0%) and Allied Health (N=85, n=15, 17.6%).
Of the total resignations in lieu of disciplinary action (N=745, n=42, 5.6%), the most likely title category to resign was Nursing (N=42, n=17, 40.5%) and Nursing Support (N=42, n=11, 26.2%). This is consistent with the literature which stated nurses would rather quit than suffer the stigma of being in the disciplinary process (Rollinson, Handley, Hook, & Foot, 1997) (Cooke, 2006).

Performance improvement plans (N=745, n=11, 1.5%) occurred infrequently and were most common among Nursing (N=11, n=5, 45.5%). No Action Issued (N=745, n=8, 1.1%) occurred least often and was issued among Allied Health (N=8, n=4, 50%), Nursing (N=8, n=2, 25%) and Nursing Support (N=8, n=2, 25%) title categories.

Frequency of type of disciplinary outcome issued by classification, Unionized or Non-unionized is summarized in Table 5. By total number of employees in the classification Non-Union or Union, a written reprimand was the outcome issued most often for both Non-Unionized Classified Civil Service and Professional and Technical (N=512, n=286, 55.9%) and Unionized Nursing and Service and Skilled Trades (N=233, n=122, 52.4%).

Of the Unionized Nursing and Service Skilled Trades classification (N=233), major suspensions (n=40, 17.2%) and terminations (n=27, 11.6%) were the second and third most common outcomes respectively during this one year time frame. Among the Non-Unionized Classified Civil Service and Professional and Technical titles (N=512), minor suspensions (n=80, 15.6%) and terminations (n=62, 12.1%) were the second and third highest outcomes.
4. What is the difference between the disciplinary action requested and the outcome received? See Table 6.

<table>
<thead>
<tr>
<th>Action Requested</th>
<th>Frequency Action Requested</th>
<th>Percentage of total requests N=745</th>
<th>Outcome Received</th>
<th>Frequency Outcome Received</th>
<th>Percentage of total outcomes received N=745</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Action Issued</td>
<td></td>
<td></td>
<td>No Action Issued</td>
<td>8</td>
<td>1.1%</td>
</tr>
<tr>
<td>Written reprimand</td>
<td>398</td>
<td>53.4%</td>
<td>Written Reprimand</td>
<td>408</td>
<td>54.8%</td>
</tr>
<tr>
<td>Minor Suspension</td>
<td>34</td>
<td>4.6%</td>
<td>Minor Suspension</td>
<td>102</td>
<td>13.7%</td>
</tr>
<tr>
<td>Major Suspension</td>
<td>8</td>
<td>1.1%</td>
<td>Major Suspension</td>
<td>85</td>
<td>11.4%</td>
</tr>
<tr>
<td>Termination</td>
<td>37</td>
<td>5.0%</td>
<td>Termination</td>
<td>89</td>
<td>11.9%</td>
</tr>
<tr>
<td>Resignation</td>
<td>1</td>
<td>0.1%</td>
<td>Resignation</td>
<td>42</td>
<td>5.6%</td>
</tr>
<tr>
<td>Performance Improvement Plan</td>
<td>10</td>
<td>1.3%</td>
<td>Performance Improvement Plan</td>
<td>11</td>
<td>1.5%</td>
</tr>
<tr>
<td>Corrective Action</td>
<td>257</td>
<td>34.5%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>745</td>
<td>100.0%</td>
<td>N=745</td>
<td>745</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 6: Frequency and comparison of action requested and the outcome received

A summary comparing disciplinary action requested and the outcome actually received is in Table 6. Of the disciplinary actions requested (N=745), simply “corrective action” (n=257, 34.5%) or a specific step (n=488, 65.5%) in the disciplinary process was requested prior to issued outcome. When corrective action was requested, either in
general or requesting a specific step (N=745), the outcome received by the employee matched the action requested 93% (N=745, n=693). The action requested did not match the outcome received 7% of the total outcomes requested (N=745, n=52). The most common reason an outcome issued did not match the action requested was due to resignation (N=52, n=42, 80.8%) by the employee in lieu of disciplinary action. Additionally, in some cases, human resources determined no action should be issued (N=52, n=8, 15.4%) against the employee or that termination was warranted (N=52, n=2, 3.8%) when suspensions were requested. Overall, most often the progression, normal steps, of disciplinary action occurred as expected based on title category and classification.

5. What is the frequency of disciplinary action outcomes with one or more steps in disciplinary process and what is the description of employees with one or more disciplinary action steps, including length of time in the disciplinary process? See Tables 7 and 8.
<table>
<thead>
<tr>
<th>Outcomes Issued</th>
<th>Frequency and Percentage (employees)</th>
<th>Nature of the Infraction</th>
<th>No Action Issue</th>
<th>Written Reprimand</th>
<th>Minor Suspension</th>
<th>Major Suspension</th>
<th>Termination</th>
<th>Resignation</th>
<th>Performance Improvement Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency of Outcome with a minimum of one step</td>
<td>745 (100.0%)</td>
<td>321 (43.0%) Attendance 424 (56.9%) Performance</td>
<td>8</td>
<td>408</td>
<td>102</td>
<td>85</td>
<td>89</td>
<td>42</td>
<td>11</td>
</tr>
<tr>
<td>Frequency of Outcomes with 2nd of possible multiple steps</td>
<td>97 (13.0%)</td>
<td>40 (41.2%) Attendance 57 (58.8%) Performance</td>
<td>2</td>
<td>5</td>
<td>38</td>
<td>20</td>
<td>13</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>Frequency of Outcomes with 3rd of possible multiple steps</td>
<td>14 (1.9%)</td>
<td>7 (50.0%) Attendance 7 (50.0%) Performance</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Frequency of Outcomes with 4th of possible multiple steps</td>
<td>2 (0.3%)</td>
<td>2 (100.0%) Attendance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 7: Frequency of employee outcomes with one or greater steps in the disciplinary process
<table>
<thead>
<tr>
<th>Classification and Title Category</th>
<th>Frequency of employees with one step</th>
<th>Range of time between step one and two</th>
<th>Frequency of employees with two steps</th>
<th>Range of time between step two and three</th>
<th>Frequency of employees with three steps</th>
<th>Range of time between step three and four</th>
<th>Frequency of employees with four steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing, Service and Skilled Trades)</td>
<td>233</td>
<td>31.3%</td>
<td>130.0 days</td>
<td>24</td>
<td>24.7%</td>
<td>Mean: 113.3 days</td>
<td>1</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service; Professional and Technical)</td>
<td>512</td>
<td>68.7%</td>
<td>Standard Deviation: 78.97</td>
<td>73</td>
<td>75.3%</td>
<td>Standard Deviation: 68.96</td>
<td>13</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>745</td>
<td>97</td>
<td>14</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Allied Health</strong></td>
<td>145</td>
<td>19.5%</td>
<td>26</td>
<td>26.8%</td>
<td>3</td>
<td>21.4%</td>
<td>0</td>
</tr>
<tr>
<td><strong>Nursing</strong></td>
<td>211</td>
<td>28.3%</td>
<td>19</td>
<td>19.6%</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td><strong>Nursing Support</strong></td>
<td>174</td>
<td>23.3%</td>
<td>24</td>
<td>24.7%</td>
<td>3</td>
<td>21.4%</td>
<td>1</td>
</tr>
<tr>
<td><strong>Environmental and Food Services</strong></td>
<td>69</td>
<td>9.3%</td>
<td>13</td>
<td>13.4%</td>
<td>2</td>
<td>14.3%</td>
<td>1</td>
</tr>
<tr>
<td><strong>Facilities, Supplies and Environment</strong></td>
<td>27</td>
<td>3.6%</td>
<td>3</td>
<td>3.1%</td>
<td>1</td>
<td>7.1%</td>
<td>0</td>
</tr>
<tr>
<td><strong>Office Clerical and Business</strong></td>
<td>119</td>
<td>16.0%</td>
<td>12</td>
<td>12.4%</td>
<td>5</td>
<td>35.7%</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>745</td>
<td>100%</td>
<td>97</td>
<td>13.0%</td>
<td>14</td>
<td>1.9%</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 8: Employees with one or greater steps by classification or title category; and time between steps.
Frequency of outcomes of employees with one or greater steps in disciplinary process is summarized in Table 7.

Of the total number employees who had a single step (N=745) in the disciplinary process within the one year time frame, only 13.0% (n=97) had two incidences, 1.9% (n=14) three incidences and 0.3% (n=2) four incidences. Employees with single step during the one year time frame have been discussed extensively in this chapter; therefore this discussion will focus on employees who had greater than a single step. Of the employee performance incidences beyond a single step (N=113), 56.6% (n=64) were performance infractions and 43.4% (n=49) percent were attendance infractions. For those employees with a second step (N=97), minor suspension (n=38, 39.2%), major suspension (n=20, 20.6%), resignation (n=16, 16.5%) and termination (n=13, 13.4%) were the most common outcomes. Similarly, for those employee performance incidences as the third step (N=14) during a one year time frame, major suspension (n=7, 50.0%), resignation (n=2, 14.3%) and termination (n=2, 14.3%) were also most common. Finally, of the employees advancing to a fourth step in one year time frame (N=2), a major suspension (n=1) and a termination (n=1) resulted.

As expected, as employee’s progress further into disciplinary action, the severity of the outcome increases. The fact that the numbers of employee incidences beyond a single step is low, suggests the disciplinary process works in this organization. Good coaching by managers, involvement from union representation, as well as employees realizing the severity of performance disciplinary actions may all lead to this positive outcome.
Employees by title category or classification, with one or greater steps in the disciplinary process and measure of time in days between those steps is summarized in Table 8.

In general, employees likely to advance past a single step match those title categories and classifications most likely to be in the disciplinary process. Non-Unionized Classified Civil Service and Professional and Technical (N=97, n=73, 75.3%) employees and Allied Health (N=97, n=26, 26.8%), Nursing Support (N=97, n=24, 24.7%) and Nursing (N=97, n=19, 19.6%) title categories were highest percentages to advance beyond a single step. We can conclude that most employees left the disciplinary process after one incident during this one year time frame, which is a positive outcome for the employee and the employer in this organization.

The range of days between employee incidences (N=97) from step one and step two has a mean of 130 days, standard deviation of 78.97 and range of 295 days. The range of days between employee incidences (N=14) between step two and step three has a mean of 113.3 days, standard deviation of 68.96 and range of 209 days. The mean, and standard deviation between steps three and four are insignificant due to low sample (N=2) size which only includes two data points, the range of that time frame is 148 days. These statistical values are skewed due to the wide range of days some employees are in the disciplinary process. The maximum number of days between each step was 295, 212 and 189 so we can conclude that some employees did remain in the disciplinary process for a long period of time. Additionally, many of the employees in this one year time frame database are still in the process with major and minor suspensions, as only 12.2% of total performance disciplinary incidences resulted in termination (N=858, n=105).
Summary Discussion and Conclusions

The purpose of this study was to describe the outcomes of performance disciplinary actions by type of position. The goal was to add to the knowledge base and understanding of specific organizational level discipline in order to provide managers and human resource manager’s important information about the design of effective disciplinary processes.

In this health care organization, of the 8,818 employees in Unionized Nursing and Service Skilled Trades and Non-Unionized Classified Civil Service and Professional and Technical classifications, 8.4% (N=745) had a performance disciplinary incidence and outcome issued slightly lower than the national average (10%) for those in the healthcare industry (United States Census Bureau). The non-unionized classification (N=745, n=512, 68.7%) had a larger percentage of employees in corrective action than the unionized (N=745, n=233, 31.3%) employee classifications. In this organization, the collective bargaining agreements and union representation of its members may benefit the employee and the employer by decreasing the number of employees in the disciplinary process.

Among all employees in disciplinary process during a one year time frame (N=745), performance infractions (n=424, 56.9%) were more frequent than attendance infractions (n=321, 43.1%). Additionally, performance infractions were more common
among nursing, allied health and skilled facilities staff; whereas, attendance infractions were more common with environmental and food service, nursing support and office and clerical staff. The organization has an attendance policy consistent for all staff levels; however, those with more attendance infractions are more likely to have specific starting times, may have more concerns in transportation and other work-life balance areas. Attendance may be more flexible in nursing and allied health as compared environmental and food service, nursing support or office and clerical employees. Performance infractions could be for a variety of reasons such as clinical documentation errors, knowledge deficits, poor customer service or failure to meet time commitments for assignments. Therefore, nursing, allied health and skilled facilities workers may be more prone to performance infractions because of the type of positions they hold.

The most common outcome issued was, not surprisingly, the first official step in the disciplinary process, the written reprimand. Many of the employees in this one year time frame database were still in the disciplinary process, having received, written reprimand, minor and major suspensions that carry forward for one to two years. Only 12.2% of total performance disciplinary incidences resulted in termination (N=858, n=105). This emphasizes the time commitment involved for managers and human resource professionals coaching, monitoring and managing performance discipline. Most disciplinary process steps ending in termination take greater than a year in the process. Resignations in lieu of disciplinary action occurred most often among nursing staff, which interestingly followed literature suggestions that nurses would rather resign than face the stigma of being in the disciplinary process (Cooke, 2006). In addition, nursing staff may have more options in the job market and can leave an organization when
dissatisfied. Overall, most often the progression or expected steps of disciplinary action occurred based on title category and classification.

Within this 12 month period, only 13% (n=97) of total employees (N=745) in discipline during the one year time frame, had more than one step or incidence during the year. It can be concluded from this fact that employees in this organization seem to have corrected their behavior. It is not certain what helped specifically, effective managerial coaching, supportive union representation and/or employee recognition of the severity of disciplinary outcomes. If the disciplinary process can be successfully used to improve employee performance, an organization will keep the employee and save valuable time and resources in not needing to hire new employees.

New managers and human resource professionals would benefit from education and training about the culture of the disciplinary process in their organization. In this organization, a manager orientation could provide specific details representing the disciplinary processes. The manager may work with employees from several classifications, unionized and non-unionized, with different steps in progressive discipline. The most important management style they will need is coaching as the organization uses corrective action to help people become better employees. The manager’s skills in coaching will also be critical since few employees are terminated in one year timeframe and some employees can be in the corrective action process for a long time. Managers need to know their employees, perhaps have a better overall understanding of their lives. This would assist in the counseling and perhaps even in the scheduling of employees. The attendance problem may be assisted with this knowledge.
The manager’s coaching and communication skills are important in working relationships with employees, human resources professionals and union representatives.

The process of disciplinary action can be drawn out, costing the employee, manager and the organization in time and money. Some employees did remain in the disciplinary process for a long period of time. These employees become expensive because by the time they reach major suspensions that stand for two years, the employee seems ultimately headed for termination unless they have a significant turnaround. Therefore, it appears most beneficial for the manager, union representative or human resources professional to focus their coaching on the employee in his/her first or second step in the process. Manager training could focus on helping employees through some of these challenges.

Other research in this area should continue to add to the limited knowledge about specific organization level details of the disciplinary process. More information about the time spent and the cost of managing disciplinary processes, information about effective coaching to keep employees away from discipline or feedback from managers and employee on his/her perceptions of the process would be of interest. Following a random sample of employees over several years in the disciplinary process may provide a more detailed picture of an organization and performance.

With health care’s employment growth, the high rates of involuntary discharges and goals of being high performing organizations, addressing employee disciplinary issues will become more important for healthcare managers. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful.
Chapter 5: Outcomes of Performance Disciplinary Actions in a Healthcare Organization

The following content based on specific author guidelines for submission to:

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Title Page:

Outcomes of Performance Disciplinary Actions in a Healthcare Organization

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Outcomes of Performance Disciplinary Actions in a Healthcare Organization
Structured Abstract

Background

With healthcare’s employment growth, the high rates of involuntary discharges and goals of being high performing organizations, addressing employee disciplinary issues is important for healthcare managers. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful.

Purposes

The purpose of this study is to describe the outcomes of performance disciplinary actions by type of position.

Methodology/Approach

A retrospective review of incidences of performance actions by persons working in a Midwestern United States hospital from July 1, 2011 through June 30, 2012 was conducted. Information was obtained from a data base provided by the Human Resources Office. Data collected included position titles, classification of position, requested disciplinary action, actual outcome, nature of incident (attendance or performance) and issue date of the disciplinary action.

Findings

Of the 8,818 employees in this health care organization, in unionized and non-unionized classifications, 8.4% had a performance or attendance disciplinary incidence in a one year time frame. The non-unionized classification had a larger percentage of employees in corrective action than the unionized. Performance infractions were more frequent than attendance infractions. Overall, the progression of disciplinary action
occurred as expected based on title category and classification. Some employees did
remain in the disciplinary process for a long period of time. Most disciplinary process
steps ending in termination take greater than a year. Within this 12 month period, 13% of
employees in discipline had more than one step.

Practice Implications

Applications of results include improving knowledge of specific organizational
level discipline and giving managers and human resources important information about
the design of effective disciplinary processes. If the disciplinary process can be
successfully used to improve employee performance, an organization will keep the
employee and save valuable time and resources in retaining employees.

Key Words

Employee discipline, disciplinary action, performance management, corrective action,
involuntary termination

Introduction

Since January 2008, employment in the health care industry has been consistently
higher than other industries including manufacturing, construction or business and
professional services (United States Department of Labor, 2012). From June to August
2012, jobs in health care grew an average of 16,000 per month and in September 2012
alone, health care employment rose by 44,000 (United States Department of Labor,
2012). With health care’s employment growth, the high rates of involuntary discharges
and goals of being high performing organizations, addressing employee disciplinary issues will become more important for healthcare managers.

In 2011, 1.3% of total employees in the United States were separated from their jobs involuntarily by discharges or layoffs (U.S. Department of Labor, 2011). In 2010, in the healthcare and social assistance industry 9.9% or 1,632,000 staff members were involuntarily separated from their positions (United States Census Bureau). Addressing performance issues, coaching, issuing corrective action and navigating conflict management is very time consuming for managers. More often than not, it is suspected that managers spend most of their time with low performing employees. Little is known about specific organization level details of corrective action and a descriptive review could assist in better understanding why involuntary discharges within healthcare are high. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful.

Performance and behavior disciplinary action are likely the least favorite components of a manager’s responsibilities. However, left unaddressed, performance problems can prevent successful outcomes and lead to poor results. Corrective action or the employee disciplinary process is used for employee deficits in knowledge, skills, abilities and/or behaviors. The performance management process in organizations is one mechanism purportedly used to eliminate or mitigate those deficits. Performance management is defined by McConnell as the “art and science of dealing with employees in a manner intended to positively influence their thinking and behavior to achieve a desired level of performance” (McConnell, 2004, pp. 273-274).
Many organizations have defined disciplinary systems but the steps or process can vary across businesses, both in the public and private sector. Descriptions of common infractions and subsequent sanctions, in addition to employee’s length of time in corrective action and/or an organization’s rates of involuntary dismissals may help determine effectiveness of a disciplinary system.

Most of the research completed in this area is descriptive, either a review of existing data or case studies including interviews with managers, employees, union representatives and human resource staff of those involved in the disciplinary process.

Theory and Conceptual Framework

What is employee discipline?

Employee discipline is described in a variety of ways. Some explain it in terms of improving productivity or achieving the values of an organization (Franklin & Pagan, 2006). Forman and Merrick define discipline as “instructive, a way to correct errant behavior” (Forman & Merrick, 2003, p. 65). Greer and Labig said “discipline is an important, albeit distasteful function in almost every manager’s job as he or she attempts to control undesired behavior in the work place” (Greer & Labig, 1987, p. 507). Webster’s Dictionary definition of discipline is “punishment” but also “a rule or system of rules governing conduct or activity” (Merriam Webster Dictionary). Punishment has been defined as “the presentation of a negative consequence in order to change undesirable subordinate behavior” (Ball, Trevino, & Sims Jr., 1994, p. 299). These descriptions together explain the employee disciplinary process or as described in some organizations, the corrective action process. Although most literature says it should be
delivered only when absolutely needed because of the potential negative outcomes, some literature suggests that discipline can have positive outcomes (Trevino, 1992).

Theory or Models of Discipline

Several studies emphasize the harmful impacts of inconsistent and unjust disciplinary processes, unfairness of the process which can force employees who have been disciplined to leave the organization or potential of bystander effects which may lower morale, increase rates of attrition and have negative impact on productivity (Trevino, 1992) (Rollinson, Handley, Hook, & Foot, 1997) (Cooke, 2006). Social learning theory suggests that the punishment for a behavior in one employee may deter the same behavior in another (Bandura, Ross, & Ross, 1963). Trevino suggests a framework to study organizational punishment in which managers should consider “behaviors, thoughts and feelings of observers, potentially positive or negative” as important (Trevino, 1992, p. 669).

Outcomes of disciplinary action according to Ball et al “may depend upon how recipients make sense of a disciplinary event (Ball, Trevino, & Sims Jr., 1994, p. 300)”. Some acknowledgement is given to cognitive theories, such as social learning theory and attribution theory, to help explain this “sense-making process”. They advise that a disciplined employee’s perspective on the fairness of the punishment is more pertinent than actual punishment (Ball, Trevino, & Sims Jr., 1994).

Attribution Theory is also discussed in disciplinary research to determine the decision making process in relationship to an infraction (Klaas & Wheeler, 1990). The Attribution Theory suggests that managers make an effort to determine what caused an employee’s bad behavior and that reason impacts their decisions about corrective action.
Henry’s four models of workplace discipline define disciplinary action as punitive-authoritarian, corrective-representative, accommodative-participative, celebrative-collective (Henry, 1987). Punitive-authoritarian discipline is “rooted in the master-servant relations of the feudal era” (Henry, 1987, p. 281). The corrective-representative model is a much more involved and formalized approach which includes written policies, investigations, hearings, representation for the accused, progressive disciplinary process, and right to appeal (Henry, 1987). The accommodative-participative model is more of a negotiation between the involved parties and sanctions involve bargaining between employers and employees which usually end in compromise (Henry, 1987). Finally, the celebrative-collective discipline is more “unwritten and spontaneous” and involves groups coming to consensus (Henry, 1987, p. 309). Based on the current review of literature, most large organizations, with or without labor unions, appear to be in the corrective-representative and accommodative-participative model categories. Some private sector organizations or smaller workplaces may still represent the older punitive-authoritarian model.

Other styles/models reviewed include ones by Fenley and Rollinson et al, both from the United Kingdom. Fenley discusses three models: punitive; corrective; revisionist. Punitive and corrective models resemble Henry’s first two models of discipline, punitive-authoritarian and corrective-representative described above. The revisionist model combines punishment and correction and is revealed as being of US origin most similar to “progressive discipline” approaches (Fenley, 1998, p. 354).

Rollinson et al, suggests three models of discipline as well: rehabilitative; retribution; deterrence (Rollinson, Handley, Hook, & Foot, 1997). Rehabilitative and
retribution models resemble corrective and punitive models respectively. The deterrence model is introduced and is about discouraging the employee or an observer from future infractions based on severity of the sanctions. Rollinson et al felt that deterrence was arguably the most common model employed by managers as it emphasizes the negative outcomes of further infractions (Rollinson, Handley, Hook, & Foot, 1997). Liao et al studied the Deterrence Theory as it relates to misuse of the internet and their company’s internet use polices (Liao, Luo, Gurung, & Li, 2009). The researchers found that the employees were more worried about the severity of the sanctions for misuse than being charged with misuse (Liao, Luo, Gurung, & Li, 2009). Therefore, employees were not necessarily deterred from the infraction unless they perceived the severity of the sanction significant enough to stop them.

What is the disciplinary process or progressive discipline?

Selden defined progressive discipline as a system that “addresses behavioral or performance problems of employees through a series of standard steps with increasingly more severe punishments per repeated offense” (Selden, 2006, p. 338). Generally, the disciplinary process begins with coaching or verbal warning then progresses to more severe steps for repeated offenses. In the union or classified civil service environments, specific steps are outlined in collective bargaining agreements. If an employee is non-union/non-classified civil service, organizational policies typically dictate process. If the organization has several classifications of employees, the organization may follow similar steps for all. Managers and human resources personnel usually have discretion to skip steps if the behavior endangers others or is a severe infraction.
The process continues until employee performance improves, the employee quits, or the employee is terminated. Progressive discipline is used as a means to coach the employee and help them meet minimum performance expectations for that organization. Objective documentation is critical. In addition to managers being fair and reasonable, they must give the benefit of doubt to the employee by ensuring them due process.

Progressive discipline is more consistent, may benefit the organization by improving performance to minimum standards and lowering turnover related costs, such as recruiting and hiring new employees. Some managers may acknowledge a performance issue, coach the employee and document the situation; however, another manager may decide it is not worth his/her time. Managers may determine if discipline is needed based on the employee’s past performance and by the employee’s personality instead of the actual performance (Franklin & Pagan, 2006). Following consistent disciplinary processes over time may help managers avoid grievances, legal concerns and unnecessary turnover (Franklin & Pagan, 2006).

Classifications

Employee job classifications have been established by duties and responsibilities since the Classification Act of 1923 (Buckley, 2009). The primary purpose of these acts and the Classification Act of 1949 which followed was to classify “positions according to duties and responsibilities, along with applying the same standards across all Federal agencies” (Buckley, 2009, p. 37). Examples of job title classifications are Administrative and Professional (A&P), Classified Civil Service (CCS), Professional and Technical (P&T) and others whose title may be linked directly to an organization’s labor union. Titles which exist under each of these job classifications are specified by the organization.
and reviewed based on duties, responsibilities, supervisory roles, and minimum qualifications. A few examples of titles in health care are: Staff Nurse, Patient Care Associate, Medical Lab Technologist, Patient Care Coordinator, Sales Assistant, Office Associate, and Food Preparation Worker.

Managers must follow different rules and processes for disciplinary action, based on an employee’s job classification. For example, civil service systems provide employees specific organizational and due process rights before termination for cause (Wallihan, 2003) (Selden, 2006). Unionized employees disciplinary process is dictated by collective bargaining agreements and an organization may have more than one of those to follow. Disciplinary steps vary based upon different classifications.

Disciplinary outcomes

The process of discipline, including how it is given, who enforces it, and the decisions made about it, sets the stage in an organization. The disciplinary process has an effect on the perceptions and behavior of both the employee disciplined and the observers or bystanders in the workforce (Cooke, 2006). Cooke examined the disciplinary process using case studies in nursing. Interviews were conducted with 144 stakeholders in the discipline process (directors, managers, quality managers, human resource managers, union representatives, disciplined staff nurses or staff nurse observers). This study collected and analyzed 76 disciplinary case studies in nursing, found the following types of outcomes in their findings: “resignation(17), dismissal(12), moved/demoted(9), long term sick leave(9), verbal written warning(8), exoneration/case dropped(5), retraining(4), suicide(1), unresolved/unknown (11)” (Cooke, 2006, p. 17). Additionally, the researcher found that outcomes were impacted by the way the hearings were conducted and led to
high rates of attrition among nurses. Cooke found “no clear evidence” that discipline improved the nurse’s performance and further discussed how the stress on nurses caused them to leave the organization due to “stigma of disciplinary action” (Cooke, 2006, p. 702). However, Cooke reported a union representative saying that those in service level jobs feel the support among coworkers when they are disciplined but it is “not the same for nurses” (Cooke, 2006, p. 702). Similarly, the Rollinson et al study suggested that employees with support of coworkers during corrective action did not feel this same shame and may be more likely to break more rules, especially when no stigma was attached to rule breaking (Rollinson, Handley, Hook, & Foot, 1997).

Cost of Absenteeism

Employee absenteeism is a problem for most organizations. Absenteeism affects an organization’s budget, productivity, morale and use overtime and temporary labor. Mercer, a human resources consulting organization, conducted a survey that examined the total cost of employee absence for Kronos Incorporated, a workforce management solutions company (Mercer LLC and Kronos Incorporated, 2010). The Survey on the Total Financial Impact of Employee Absences had responses from 276 organizations, the largest number from health care employers, and was completed online in spring of 2010 (Mercer Health and Benefits LLC, 2010). The report examined the costs in terms of classification of employees (exempt, nonexempt salaried, nonexempt hourly and union hourly) and type of absences (unplanned, planned, extended). The total costs of direct (pay to the employee for time not worked) and indirect (replacement labor costs and lost productivity examples) absences costs averaged 35% of total annual salaries and wages paid for benefits eligible U.S. employees (Mercer Health and Benefits LLC, 2010).
Specifically, these costs were “28.5 percent for exempt employees, 36.4 percent for non-exempt salaried, 39.1 percent for non-union hourly and 38.1 percent for union hourly” (Mercer Health and Benefits LLC, 2010, p. 12). The study reported the total cost of employee unplanned absences, those which management often try to minimize, as 8.7 percent of payroll, including “incidental and extended disability absences” (Mercer LLC and Kronos Incorporated, 2010, p. 1). Additionally, the number of unplanned absences per employee averaged 5.4 days per year but varied by classification with “3.9 days for exempt employees, 4.9 days for non-exempt salaried, 5.8 days for non-union hourly and 7.3 days for union hourly” (Mercer Health and Benefits LLC, 2010, p. 16). Finally, the study estimated all supervisors spend an average of 2.8 hours per week tracking employees’ absence issues and, specifically, in health care organizations at 3.7 hours per week (Mercer Health and Benefits LLC, 2010).

Impact of Representation

Antcliff and Saundry used the data from the 2004 Workplace Employee Relations Survey (WERS04) to explore the influence of Great Britain’s “statutory right of accompaniment” at grievances and in disciplinary processes on disciplinary sanction rates, terminations and appeals (Antcliff & Saundry, 2009, p. 100). The WERS04 included all workplaces in Great Britain, except agriculture, fishing, mining and quarrying, which employed five or more employees. The survey includes data about grievances, disciplinary processes and workplace characteristics. Antcliff and Saundry used both manager interview data and pre-interview manager questionnaires from 2,229 workplaces, a 64 percent response rate (Antcliff & Saundry, 2009). Antcliff supported Knight and Latrielle’s finding in general, that rates of disciplinary action and
terminations increase with workplace size (Antcliff & Saundry, 2009) (Knight & Latrielle, 2000). They suggested that “informal and personal nature of employment relations in small firms; employers with close personal relationships with employees may be less likely to take formal sanctions and instead opt to try and resolve matters informally” (Antcliff & Saundry, 2009, p. 114). Additionally, the researcher’s ultimately suggested that labor unions and their representatives for employees could “be influential in facilitating the resolution of workplace disputes” (Antcliff & Saundry, 2009, p. 100). They concluded that the right to representation (“accompaniment”) guarantees that at risk staff “get support and advice”, limits unjustified severe punishments, opens “channels of communication” to avoid unnecessary disciplinary actions or terminations, and prevents legal issues faced by employers when employees are not represented (Antcliff & Saundry, 2009, p. 115). Additionally, this study found that disciplinary sanctions still occurred with or without representation, suggesting that once an employee has reached this step in the process, chance of reversal is minimal (Antcliff & Saundry, 2009). Other studies in Great Britain, such as Knight and Latrielle and Saundry, et al, support that the labor union representatives may help decrease discipline and terminations by using more informal processes, prior to formal discipline (Saundry, Jones, & Antcliff, 2011) (Knight & Latrielle, 2000).

Additional research in the United Kingdom reviewed case studies in a variety of organizations, conducted interviews with human resource managers, trade union representatives, operational managers, and companions of non-union employees in disciplinary action and discussed the role of trade unions, specifically the role of the trade union representative or another support person in the disciplinary process (Saundry,
Jones, & Antcliff, 2011). Researchers found that a strong union with experience, good relationships with the organization and manager can improve informal outcomes for the employee in disciplinary process (Saundry, Jones, & Antcliff, 2011). Good outcomes could be that the employee improves his/her performance and avoids further infractions. However, the researchers did not find the same result with the non-union employee; specifically they found no effect for that employee who brought a support person during the disciplinary process (Saundry, Jones, & Antcliff, 2011).

Terminations

A study examined terminations in the United States public sector, specifically in government, using data in Government Performance Project (GPP) in August 2004 (Selden, 2006). Forty-one states participated, providing an 82 percent response rate (Selden, 2006). Researchers studied the state’s disciplinary processes and the impact of it on number of terminations, factors affecting willingness to terminate, and the time it took to terminate for behavior or performance issues (Selden, 2006). States that had a standardized disciplinary system terminated fewer employees. In addition, states where discipline process fluctuated among various labor contracts terminated fewer employees (Selden, 2006). It was found that differences between multiple labor contracts were “the most important predictor of state dismissal rates” (Selden, 2006, p. 344). Only one thing led to increase in terminated employees and that was when the states allowed managers the power to terminate and they terminated 7% more of its workforce (Selden, 2006).

Time to terminate for behavior versus time to terminate for performance was examined and found that those with progressive discipline systems took longer to terminate employees. Those with labor contracts mandating discipline also took longer
than those without to terminate employees for behavior and performance issues. Labor union involvement was a strong predictor on both lower dismissal rates in states’ public sectors and on length of time to terminate those employees (Selden, 2006). Specifically, the “state that includes discipline and termination in its labor contract negotiations fired almost 5% less of its workforce in FY2003” (Selden, 2006, p. 346). Unions negotiate better protection for their members. Fewer terminations could benefit the organization by decreasing costs associated with recruiting, hiring and on-boarding new employees.

Summary

Several studies suggest that many managers firmly believe that disciplinary processes will result in compliance with rules (Beyer & Trice, 1984) (Klaas & Wheeler, 1990) (Rollinson, Handley, Hook, & Foot, 1997). However, research about disciplinary processes, dismissals and sanctions issued in organizations are not common (Selden, 2006). Disciplinary processes can be complex and can vary among organizations and classifications of employees. If the disciplinary process is successfully used to improve employee performance, an organization will keep the employee and save valuable time and resources in not needing to hire new employees. The results of the preceding review of literature about discipline suggest that it could be beneficial to gather additional data about the disciplinary process in the workplace, to improve knowledge among both managers and employees. The purpose of this study is to describe the outcomes of performance disciplinary action by type of position.
Methods

Research Design

A retrospective review of incidences of disciplinary actions by persons working in a Midwestern United States hospital from July 1, 2011 through June 30, 2012 was conducted. Information was obtained from a data base provided by the Human Resources Office. This study was determined exempt by The Ohio State University Institutional Review Board. Data collected included position titles, classification of position (unionized, civil service, or professional), requested disciplinary action, actual outcome issued to the employee, nature of incident (attendance or performance) and issue date of the disciplinary action.

Research Questions

Data was analyzed using the employee’s initial step in disciplinary action during the studied fiscal year 2011-2012 for the following research questions.

1. What is the frequency of disciplinary actions by type of classification and title category (unionized, non-unionized, classifications)? See Table 9.

2. What is the frequency of type of disciplinary infraction (attendance or performance) by classification and title category (unionized, non-unionized, classifications)? See Table 10 and Table 11.

3. What is the frequency of types of disciplinary action outcomes by type of classification and title category? See Table 12.
4. What is the difference between the disciplinary action requested and the outcome received?

All data collected for the 97 persons with greater than one step in disciplinary action was used to answer the following question.

5. What is the frequency of disciplinary action outcomes with one or more steps in disciplinary process and what is the description of employees with one or more disciplinary action steps, including length of time in the disciplinary process? See Table 13.

Sample, Instrumentation and Data Collection

Data regarding the performance of 750 employees collected from a data base was provided by the Human Resources Department. Four employees were removed from the data base due to missing outcomes and issue dates. Another employee was removed because they were single representative from the “administrative and professional” title classification. Additionally, six incidences of multiple steps were omitted due to duplicate information or missing data. For the 745 employees maintained, 858 incidences of performance disciplinary action occurred, as 97 employees had more than one step, adding 113 incidences during the year. This data is public record and was provided de-identified.

A sample data collection sheet indicating specific sources of each data point is included in Appendix A. The specific data collected included the following:
• position title (110 different titles categorized by researcher into either allied health; nursing; nursing support; environmental and food services; facilities, supplies and environment; or office, clerical and business),
• classification (classified civil service, nursing union, skilled trades union, professional and technical),
• disciplinary action requested (11 actions categorized by researcher into one of the following: written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan, or corrective action),
• nature of the infraction (attendance or performance),
• actual outcome received (21 outcomes categorized by researcher based on severity into one of the following: no action issued, written reprimand, minor suspension, major suspension, termination, resignation, performance improvement plan), and
• issue date of disciplinary action received.

If more than a single step occurred, specific additional data for each step included disciplinary action requested, nature of the infraction, actual outcome received, and issue date of disciplinary action received in same format as previously described.

Data Analysis

Analysis of this data was conducted to investigate the frequency and type of disciplinary action. Frequency counts and percentages were calculated to determine frequency of disciplinary actions by title classification and title category, frequency of
type of infraction by title classification and title category, frequency of outcomes issued by title classification and title category, frequency and difference between the action requested and outcome received and frequency of outcomes of a one or greater disciplinary action steps. Means and standard deviations were calculated to determine range of time between issue dates. Statistical analysis of data was calculated using SPSS software (Version 19).

Findings

In this health care organization, of the 8,818 employees in Unionized Nursing and Service Skilled Trades and Non-Unionized Classified Civil Service and Professional and Technical classifications, 8.4% (N=745) had a performance disciplinary incidence and outcome issued, slightly lower than the national average for those in the healthcare industry (United States Census Bureau). The non-unionized classification (N=745, n=512, 68.7%) had a larger percentage of employees in corrective action than the unionized (N=745, n=233, 31.3%) employee classifications as summarized in Table 9. In this organization, the collective bargaining agreements and union representation of its members may benefit the employee and the employer by decreasing the number of employees in the disciplinary process.

Among all employees in disciplinary process during a one year time frame (N=745), performance infractions (n=424, 56.9%) were more frequent than attendance infractions (n=321, 43.1%) as summarized in Table 10. Additionally, performance infractions were more common among nursing, allied health and skilled facilities staff; whereas, attendance infractions were more common with environmental and food service,
nursing support and office and clerical staff as summarized in Table 11. The organization has an attendance policy consistent for all staff levels; however, those with more attendance infractions are more likely to have specific starting times, may have more concerns in transportation and other work-life balance areas. Attendance may be more flexible in nursing and allied health as compared environmental and food service, nursing support or office and clerical employees. Performance infractions could be for a variety of reasons such as clinical documentation errors, knowledge deficits, poor customer service or failure to meet time commitments for assignments. Therefore, nursing, allied health and skilled facilities workers may be more prone to performance infractions because of the type of positions they hold.
<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Total employees in the classification</th>
<th>Total employees by classification with at least one step in the disciplinary process fiscal year 2011-2012</th>
<th>Percent of total employees by classification with at least one step in disciplinary process fiscal year 2011-2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing and Service/Skilled Trades) Total</td>
<td>3,553</td>
<td>233 (31.3%)</td>
<td>6.6%</td>
</tr>
<tr>
<td>• Service and Skilled Trades Union</td>
<td>666</td>
<td>78</td>
<td>11.7%</td>
</tr>
<tr>
<td>• Nursing Union</td>
<td>2,887</td>
<td>155</td>
<td>5.4%</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service and Professional &amp; Technical) Total</td>
<td>5,265</td>
<td>512 (68.7%)</td>
<td>9.7%</td>
</tr>
<tr>
<td>• Classified Civil Service</td>
<td>1,492</td>
<td>132</td>
<td>8.8%</td>
</tr>
<tr>
<td>• Professional and Technical</td>
<td>3,773</td>
<td>380</td>
<td>10.1%</td>
</tr>
<tr>
<td>Totals</td>
<td>8,818</td>
<td>745</td>
<td>8.4%</td>
</tr>
</tbody>
</table>

Table 9: Frequency of disciplinary action by title classification, unionized, non-unionized
<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Total employees with at least one step in the disciplinary process fiscal year 2011-2012 N=745</th>
<th>Frequency and Percentage of employees whose infraction was: Attendance n=321</th>
<th>Frequency and Percentage of employees whose infraction was: Performance n=424</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing and Service/Skilled Trades) Total</td>
<td>233 31.3%</td>
<td>98 42.1%</td>
<td>135 57.9%</td>
</tr>
<tr>
<td>• Service and Skilled Trades Union</td>
<td>78 57.7%</td>
<td>45 65.8%</td>
<td>33 42.3%</td>
</tr>
<tr>
<td>• Nursing Union</td>
<td>155 34.2%</td>
<td>53 65.8%</td>
<td>102 65.8%</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service and Professional &amp; Technical) Total</td>
<td>512 68.7%</td>
<td>223 43.6%</td>
<td>289 56.4%</td>
</tr>
<tr>
<td>• Classified Civil Service</td>
<td>132 46.2%</td>
<td>61 53.8%</td>
<td>71 53.8%</td>
</tr>
<tr>
<td>• Professional and Technical</td>
<td>380 43.0%</td>
<td>162 57.0%</td>
<td>218 57.0%</td>
</tr>
<tr>
<td>Totals</td>
<td>745</td>
<td>321 43.1%</td>
<td>424 56.9%</td>
</tr>
</tbody>
</table>

Table 10: Frequency of type of infraction by title classification, unionized or non-unionized
<table>
<thead>
<tr>
<th>Title Category</th>
<th>Total employees with at least one step in the disciplinary process fiscal year 2011-2012 N=745 n (total by category) % of total by category</th>
<th>Frequency and Percentage of employees whose infraction was: Attendance (n=321) n % of total by category</th>
<th>Frequency and Percentage of employees whose infraction was: Performance (n=424) n % of total by category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing</td>
<td>211 28.3%</td>
<td>63 29.9%</td>
<td>148 70.1%</td>
</tr>
<tr>
<td>Nursing Support</td>
<td>174 23.3%</td>
<td>95 54.6%</td>
<td>79 45.4%</td>
</tr>
<tr>
<td>Allied Health</td>
<td>145 19.5%</td>
<td>58 40.0%</td>
<td>87 60.0%</td>
</tr>
<tr>
<td>Office, Clerical and Business</td>
<td>119 16.0%</td>
<td>54 45.4%</td>
<td>65 54.6%</td>
</tr>
<tr>
<td>Environmental and Food Services</td>
<td>69 9.3%</td>
<td>44 63.8%</td>
<td>25 36.2%</td>
</tr>
<tr>
<td>Facilities, Supplies and Environment</td>
<td>27 3.6%</td>
<td>7 25.9%</td>
<td>20 74.1%</td>
</tr>
</tbody>
</table>

Table 11: Frequency of the type of infraction (attendance or performance) by title category

The most common outcome issued was, not surprisingly, the first official step in the disciplinary process, the written reprimand as summarized in Table 12. Many of the employees in this one year time frame database were still in the disciplinary process, having received, written reprimand, minor and major suspensions that carry forward for one to two years. Only 12.2% of total performance disciplinary incidences resulted in termination (N=858, n=105). This emphasizes the time commitment involved for managers and human resource professionals coaching, monitoring and managing performance discipline. Most disciplinary process steps ending in termination take greater than a year in the process. Resignations in lieu of disciplinary action occurred
most often among nursing staff, which interestingly followed literature suggestions that nurses would rather resign than face the stigma of being in the disciplinary process. In addition, nursing staff may have more options in the job market and can leave an organization when dissatisfied. Overall, most often the progression or expected steps of disciplinary action occurred based on title category and classification.

Within this 12 month period, only 13% (n=97) of total employees (N=745) in discipline during the one year time frame, had more than one step or incidence during the year as summarized in Table 13. It can be concluded from this fact that employees in this organization seem to have corrected their behavior. It is not certain what helped specifically, effective managerial coaching, supportive union representation and/or employee recognition of the severity of disciplinary outcomes. If the disciplinary process can be successfully used to improve employee performance, an organization will keep the employee and save valuable time and resources in not needing to hire new employees.
<table>
<thead>
<tr>
<th>Title Classification</th>
<th>Written Reprimand n</th>
<th>Minor Suspension n</th>
<th>Termination n</th>
<th>Major Suspension n</th>
<th>Resignation, “in lieu of” n</th>
<th>Performance Improvement Plan n</th>
<th>No Action Issued n</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized (Nursing, Service and Skilled Trades) --% within classification --% within outcome</td>
<td>122 52.4% 29.9%</td>
<td>22 9.4% 21.6%</td>
<td>27 11.6% 30.3%</td>
<td>40 17.2% 47.1%</td>
<td>18 7.7% 42.9%</td>
<td>2 0.9% 18.2%</td>
<td>2 0.9% 25.0%</td>
<td>N= 233 100.0% 31.3%</td>
</tr>
<tr>
<td>Non-unionized (Classified Civil Service; Professional and Technical) --% within classification --% within outcome</td>
<td>286 55.9% 70.1%</td>
<td>80 15.6% 78.4%</td>
<td>62 12.1% 69.7%</td>
<td>45 8.8% 52.9%</td>
<td>24 4.7% 57.1%</td>
<td>9 1.8% 81.8%</td>
<td>6 1.2% 75.0%</td>
<td>N= 512 100.0% 68.7%</td>
</tr>
<tr>
<td>Totals N=408 N=102 N=89 N=85 N=42 N=11 N=8 N= 745 --% within classification --% within outcome</td>
<td>54.8% 100.0%</td>
<td>13.7% 100.0%</td>
<td>11.9% 100.0%</td>
<td>11.4% 100.0%</td>
<td>5.6% 100.0%</td>
<td>1.5% 100.0%</td>
<td>1.1% 100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 12: Frequency of type of disciplinary outcome by classification
<table>
<thead>
<tr>
<th>Frequency and Percentage (employees)</th>
<th>Nature of the Infraction</th>
<th>No Action Issue</th>
<th>Written Reprimand</th>
<th>Minor Suspension</th>
<th>Major Suspension</th>
<th>Termination</th>
<th>Resignation</th>
<th>Performance Improvement Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency of Outcome with a minimum of one step</td>
<td>745 (100.0%)</td>
<td>321 (43.0%) Attendance</td>
<td>408</td>
<td>102</td>
<td>85</td>
<td>89</td>
<td>42</td>
<td>11</td>
</tr>
<tr>
<td>Frequency of Outcomes with 2nd of possible multiple steps</td>
<td>97 (13.0%)</td>
<td>40 (41.2%) Attendance</td>
<td>5 (57.1%) Performance</td>
<td>38</td>
<td>20</td>
<td>13</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>Frequency of Outcomes with 3rd of possible multiple steps</td>
<td>14 (1.9%)</td>
<td>7 (50.0%) Attendance</td>
<td>0</td>
<td>1</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Frequency of Outcomes with 4th of possible multiple steps</td>
<td>2 (0.3%)</td>
<td>2 (100.0%) Attendance</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 13: Frequency of employee outcome with one or greater steps in the disciplinary process
Practice Implications

The purpose of this study was to describe the outcomes of performance disciplinary actions by type of position. The goal was to add to the knowledge base and understanding of specific organizational level discipline in order to provide managers and human resource manager’s important information about the design of effective disciplinary processes.

New managers and human resource professionals would benefit from education and training about the culture of the disciplinary process in their organization. In this organization, a manager orientation could provide specific details representing the disciplinary processes. The manager may work with employees from several classifications, unionized and non-unionized, with different steps in progressive discipline. The most important management style they will need is coaching as the organization uses corrective action to help people become better employees. The manager’s skills in coaching will also be critical since few employees are terminated in one year timeframe and some employees can be in the corrective action process for a long time. Managers need to know their employees, perhaps have a better overall understanding of their lives. This would assist in the counseling and perhaps even in the scheduling of employees. The attendance problem may be assisted with this knowledge. The manager’s coaching and communication skills are important in working relationships with employees, human resources professionals and union representatives.

It is important for managers to follow rules when dealing with employee discipline and performance management. Jacobs compared interviewing employees
regarding performance to the requirement of “Miranda rights”, employees must receive due process and managers follow appropriate conduct when questioning employees (Jacobs, 2010, p. 100).

Additionally, employee-manager relationships after corrective action may have an impact. Rollinson suggests that “good post-handling relations” may lead to employees understanding work requirements better, following those rules and having a more positive relationship with their manager (Rollinson, Handley, Hook, & Foot, 1997, p. 297). The process of disciplinary action can be drawn out, costing the employee, manager and the organization in time and money. Some employees did remain in the disciplinary process for a long period of time. These employees become expensive because by the time they reach major suspensions that stand for two years, the employee seems ultimately headed for termination unless they have a significant turnaround. Therefore, it appears most beneficial for the manager, union representative or human resources professional to focus their coaching on the employee in his/her first or second step in the process. Manager training could focus on helping employees through some of these challenges.

Other research in this area should continue to add to the limited knowledge about specific organization level details of the disciplinary process. More information about the time spent and the cost of managing disciplinary processes, information about effective coaching to keep employees away from discipline or feedback from managers and employee on his/her perceptions of the process would be of interest. Following a random sample of employees over several years in the disciplinary process may provide a more detailed picture of an organization and performance.
With health care’s employment growth, the high rates of involuntary discharges and goals of being high performing organizations, addressing employee disciplinary issues will become increasingly important for healthcare managers. Separation of employees is expensive and if performance disciplinary action can decrease separation, then it could be considered successful.
Acknowledgements

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This study was determined exempt by:

The Ohio State University Institutional Review Board.
References


Appendix A: Sample Data Collection Sheet

<table>
<thead>
<tr>
<th>To describe the frequency of disciplinary actions by classification.</th>
<th>Variables:</th>
<th>Statistics:</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unionized</td>
<td>Frequency</td>
<td>Include total employees in the title classification to provide percentages</td>
<td></td>
</tr>
<tr>
<td>Nonunionized</td>
<td>Percentages</td>
<td>Single step or more</td>
<td></td>
</tr>
<tr>
<td>Title/Classifications/Category</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>To determine the frequency of type of disciplinary action infraction by classification and title category</strong></td>
<td>Variables:</td>
<td>Statistics:</td>
<td>Comments</td>
</tr>
<tr>
<td>Nature of Infraction</td>
<td>Frequency</td>
<td>This is for single step, first step in the studied year</td>
<td></td>
</tr>
<tr>
<td>- attendance</td>
<td>Percentages</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- performance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title/Classifications/Category</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>To describe the frequency of types of disciplinary action outcomes by type of classification and title category.</strong></td>
<td>Variables:</td>
<td>Statistics:</td>
<td>Comments</td>
</tr>
<tr>
<td>Actual Outcome</td>
<td>Frequency</td>
<td>This is for single step, first step in the studied year</td>
<td></td>
</tr>
<tr>
<td>Title/Classifications/Category</td>
<td>Percentages</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>To describe the difference between the action requested and the outcome received.</strong></td>
<td>Variables:</td>
<td>Statistics:</td>
<td>Comments</td>
</tr>
<tr>
<td>Action Requested</td>
<td>Descriptive</td>
<td>This is for single step, first step in the studied year</td>
<td></td>
</tr>
<tr>
<td>Actual Outcome</td>
<td>Frequency that they match Percentages</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>To describe frequency of disciplinary action outcomes with one or more steps in disciplinary process and describe employees with one or more disciplinary action steps, including length of time in the disciplinary process</strong></td>
<td>Variables:</td>
<td>Statistics:</td>
<td>Comments</td>
</tr>
<tr>
<td>Actual Outcome(s)</td>
<td>Frequency of single step</td>
<td>This describes single and multiple steps in studied year</td>
<td></td>
</tr>
<tr>
<td>Nature of Infraction</td>
<td>Frequency of multiple step</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Issue Date</td>
<td>Percentages</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title/Classifications/Category</td>
<td>Average time in steps Mean and standard deviation</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>