

# Employee Discipline

## *Building a Culture of Commitment*

By Dick Grote

For 75 years American organizations have been using a fairly standardized procedure to handle the familiar problems of absenteeism, poor performance, and other misconduct. This approach, usually called “progressive discipline,” provides for an increasingly serious series of penalties—reprimands, warnings, suspensions without pay—when employees fall out of step with the organization’s expectations. When problems arise, the job of the manager is to find the punishment that fits the crime.

But today, a growing number of cities and state agencies are moving away from using a criminal-justice mentality in handling corrective action. They are abandoning traditional approaches that focus exclusively on punishment. In their place, they are adopting an approach to discipline that requires employees whose performance or conduct or attendance is unacceptable to take personal responsibility for their choice of behavior.

What’s the difference? One immediate difference is that traditional punishment-based discipline systems ignore the great majority of people who are well disciplined and never create disciplinary problems. In a non-punitive, Discipline Without Punishment approach, there’s a new step added to the process—a positive contact. Just as they’re expected to deal with employee problems when they arise, the policy now makes clear that supervisors are expected to recognize employees when they perform well. Recognizing good performance is no longer just good advice handed out in a management training class; now it’s a formal policy requirement—a step of the organization’s overall discipline procedure.

### When Problems Arise

Supervisors are still expected to begin the correction process by employee coaching before taking formal disciplinary action, unless the problem is of such magnitude that serious disciplinary action or even termination is appropriate for a first offense. At early stages of disciplinary action the familiar responses of verbal reprimands and written warnings are replaced with two comparable steps: Reminder 1 and Reminder 2. Yes, they seem similar, but there’s more than mere semantic sleight-of-hand at work here. Instead of being reprimanded for his mischief or warned about what will happen the next time he misbehaves, the employee is formally reminded of two important things. First, he’s reminded of exactly what the city or agency expects in the way of high quality work, on-time performance, or whatever else has triggered the need for the discussion. Second, besides reminding the employee of exactly what’s expected, the supervisor reminds the employee that it is he who’s responsible for meeting the organization’s standards. He must do what he’s being paid to do and must do it well.

The biggest change from traditional, punishment-based approaches comes at the final step of disciplinary action. When the employee is one step away from termination, a dramatic gesture is needed to drive the message home forcefully that the end is at hand—one more time and you’re fired. But merely giving the employee a “final written warning,” or placing her on probation for some period of time, or creating a Performance Improvement Plan—approaches that many public sector organizations use—just aren’t powerful enough to communicate unambiguously the “Once more and you’re out!” message. That’s why a disciplinary suspension from work is the best final step for a corrective action system.

But traditionally this disciplinary suspension has been without pay. The intent is that by depriving the employee of a couple days’ pay, he will come to his senses and return to work determined to do whatever is necessary to keep his job.

That’s the theory. In practice it rarely works so neatly. Employees who are placed on the conventional three-day disciplinary suspension without pay don’t often return having seen the error of their ways and a commitment to excellent performance. They usually come back angry. All the organization has generated is a lot of bitterness because of the loss of pay.

There are other problems with using punishment as the basis for disciplinary action. Supervisors, many of whom are in the tricky position of being both on-the-job boss as well as off-the-job friend, often hesitate to place someone they’re friends with on an unpaid disciplinary suspension since they know that it’s the family that’s really getting punished by the loss of pay. They may cut some people additional slack and open themselves to charges of favoritism.

### A Paid Disciplinary Suspension

Using a suspension from work as a final disciplinary step has some real advantages over other less dramatic efforts. It provides a cooling off period and previews unemployment. It allows the individual time to think about what the impact of losing his job would be. It demonstrates management’s resolve to get the problem solved once and for all, since the organization is also paying a price by losing the employee’s services for the suspension period. It unquestionably communicates the seriousness of the issue. Maybe most important, the use of a suspension as a final step of the discipline process is universally accepted by arbitrators, hearing officers, and other third parties as “sufficient notice” that the employee’s job is on the line.

But if there are important advantages to using a suspension from work as a final step—as there are—does the organization really benefit by withholding the employee’s pay for the time he’s away on suspension?

A “Decision Making Leave,” the final step of the non-punitive “Discipline Without Punishment” process, provides all of the advantages of a disciplinary suspension as a final step but eliminates all the drawbacks. What’s a decision making leave? It’s a disciplinary suspension with a twist. It’s a disciplinary suspension of one day and one day only. On this day the employee is required to make one of two choices. He must decide either to correct whatever problem brought him to this final step of the discipline process and make a commitment to fully acceptable performance in every area of his job in the future, or decide to quit and find greener employment pastures elsewhere.

Paying the employee for the day he’s away on “decision day” changes the supervisor’s role from adversary to coach. It demonstrates the organization’s good faith in wanting to see him change and return to fully acceptable performance, and is consistent with the values of almost every city government or state agency. By eliminating money as an issue, it doesn’t impact the family’s grocery budget and thus reduces the possibility of anger, hostility and even workplace violence.

If the employee decides to remain with the organization and commits to fully acceptable performance in every area of the job (as almost all people placed on decision making leave do) and then doesn’t live up to his commitment, termination turns out to be much easier and guilt-free. And should the employee challenge the termination in a union arbitration, EEOC complaint, or any other venue, the fact that the organization gave the person a day at its expense to decide whether he was willing to do then job he was being paid to do and the employee didn’t live up to his own commitment assures legal defensibility.

CONTINUED ON PAGE 15

# Employee Discipline

continued from page 13

## State of Georgia – Discipline Without Punishment

Survey Results For Supervisors And Managers (282 Surveys Tabulated)

### 1. How many Performance Improvement Discussions have you held with employees in the last twelve months?

None	112
One to three	123
Four to six	32
Seven to nine.	6
Ten or more	6
Total number of responses to Question 1:	279

### 2. How many times have Performance Improvement Discussions prevented the use of formal discipline?

Every time	113
More than half of the time	20
About half of the time	13
Less than half of the time	13
Never	21
Total number of responses to Question 2:	180

### 3. How do you rate the Performance Improvement Discussion as a tool for achieving desired performance?

Excellent.	0
Very good.	106
No opinion.	28
Marginally useful	8
Not useful	0
Total number of responses to Question 3:	142

### 4. Would you return to the old system if you could?

Yes	31
No	221
Total number of responses to Question 4:	252

### 5. How would you rate effectiveness of the new discipline program against the former program of adverse action?

Much more effective	1
More effective	109
About the same	62
Less effective	10
Much less effective	1
Total number of responses to Question 5:	183

### 6. What has been the general employee response to the new discipline program?

Very positive	16
Positive	88
No change	119
Negative	16
Very negative	0
Total number of responses to Question 6:	239

### 7. Under the new discipline program, how much time do you spend on formal disciplinary matters?

Much less than before	15
Less than before	28
About the same	59
More than before	8
Much more than before	1
Total number of responses to Question 7:	111

### 8. Under the now discipline program, how have the number of your formal disciplinary actions, of any kind, changed?

Far fewer than before	6
Fewer than before	36
About the same as before	65
More than before	3
Much more than before	0
Total number of responses to Question 8:	110

### 9. How have employees who have been the subject of formal discipline responded to the new discipline program?

Much more positive than under the old system	7
More positive than under the old system	46
No change	41
More negative than under the old system	6
Much more negative than under the old system	1
Total number of responses to Question 9:	101

Study of the initial results of Discipline Without Punishment in five State of Georgia agencies. Data collection by: Georgia Merit System, Division of Training and Organization Development, Diane Schlachter, Ph.D., Director.

## The Public Sector Experience

Public sector organizations—cities, country governments, river and aviation authorities, state agencies—have been switching to a non-punitive approach to discipline and the use of a paid decision day since the process was first developed in a Frito-Lay plant three decades ago. There are years of experience that back up the effectiveness and durability of the approach.

For example, the Texas Department of Mental Health, an early adopter, saw turnover drop from 48.5% to 31.3% to 18.5% in the two years following implemen-

tation. The system has now been in place for over 20 years. In this time employee turnover has consistently remained at a manageable 20% or less per year.

Likewise, the City of Carrollton, TX, another organization that early on decided that the Discipline Without Punishment approach was right for the organizational climate that they wanted to build, has been successfully using the system since the late 70's. "Every time we get a new City Manager I have to explain the system and why we're doing things the way we are," HR director Kathryn Usrey said. "But we're still using it and it's still working."

CONTINUED ON PAGE 16



# Employee Discipline

continued from page 15

Almost ten years ago the State of Georgia made the decision to implement the discipline-without-punishment approach in all state agencies. The state undertook the effort as a major organization development project, with each agency forming an implementation team of supervisors and managers from different levels and functions to tailor the approach to their specific needs.

After the system had been in effect in Georgia for three years, the first five agencies to adopt the approach surveyed a group of 282 supervisors about their experiences with the new system and their opinions about its effectiveness. The supervisors reported four-to-one that the new approach required them to spend less time on dealing with disciplinary issues. Only three supervisors out of all survey respondents reported that the number of disciplinary problems under the new system had increased. Asked, "How would you rate the effectiveness of the new discipline program against the former program of adverse action?" supervisors by almost a ten-to-one margin called the new approach more effective.

Finally, supervisors were asked one yes/no question: "Would you return to the old system if you could?" Of 252 who responded, only 31 said that they would prefer to go back to the old way of doing things. As Mike Sorrells, then Deputy Director of the State of Georgia Merit System, the sponsor of the move to the new approach, commented, "Any time you've got almost nine out of ten supervisors agreeing on anything, you know you're doing things right."

## Why make the change?

Traditional "progressive-discipline" approaches never require the employee who is creating problems to take personal responsibility for future good performance. This new, more tough-minded approach requires the person to make a formal commitment to acceptable performance in all areas of his job. It solves performance problems promptly and permanently by placing the responsibility for change exactly where it belongs—with the individual.

The long-established progressive-discipline system is the last remaining vestige of the adversarial, 1930s, labor vs. management attitude in the modern organization. Traditional discipline approaches may indeed convince some problem employees to shape up, others to ship out. But punitive tactics can't produce employees who are genuinely committed to the goals of the city or agency and the policies and rules by which they operate. We may be able to punish people into compliance, but we cannot punish people into commitment. And a culture of commitment is what today's public sector organizations are moving toward.

*Dick Grote is the president of Grote Consulting Corporation in Dallas, Texas, a consulting firm that concentrates in helping public sector organizations design effective performance management systems. He is the author of the book, Discipline Without Punishment, which has just been published in a revised and updated second edition by AMACOM Books, a division of the American Management Association. Grote may be contacted by phone at (800) 734-5475 or by e-mail at [dickgrote@groteconsulting.com](mailto:dickgrote@groteconsulting.com). —N*

## Helping local governments with their HR challenges for over 30 years.



### Experience that leads to results.

We're right here, right when you need us. We've been helping local governments for over 30 years. In fact, our senior consulting team has over 150 combined years of public sector experience. Developing innovative management solutions for organizations of all sizes in compensation, performance management, executive search, and other areas of human resources is our mission.

- Compensation & Classification Studies
- Performance Appraisal
- Skill-based Pay
- FLSA Audits
- Training & Development
- Assessments for Selection & Development
- Succession Planning
- Executive Search



**THE WATERS CONSULTING GROUP, INC.**

800.899.1669 ■ [www.watersconsulting.com](http://www.watersconsulting.com)

Offices in Dallas ■ Austin ■ Seattle ■ Cleveland

Grote Consulting Corporation  
2591 Dallas Parkway, Suite 300  
Frisco, Texas 75034

972-335-6644

[www.GroteConsulting.com](http://www.GroteConsulting.com)