



Long-Term Care Foundation

of Washington State

HR Best Practices: Performance, Discipline, and Termination

Presented by:

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Learning Objectives

- Performance reviews
- Discipline documentation
- At will employment and exceptions
- How to handle a termination



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What is a performance review?

- Performance reviews are used to evaluate the job performance of an employee.
- Performance reviews are used to highlight strengths and weaknesses in order to improve future performance.
- Businesses can use performance reviews to justify pay increases or bonuses and terminations.
- Performance reviews can be conducted at any time.

Rating Parameters

- Below Performance Standards
- Needs Improvement
- Mostly Meets Expectations
- Fully Meets Expectations
- Exceeded Expectations
- Exceptional

Why are regular performance reviews important?

- Rewarding employee performance
- Improving employee development
- Identifying potential in employees
- Improving employee performance
- Allowing employees to voice concerns or ideas

Employee performance review tips

- Performance reviews should happen frequently
- Performance reviews should be two-way conversations
- Performance reviews should be future focused
- Performance reviews should be transparent
- Performance reviews should be objective
- Employee self-evaluation

Performance Reviews

Not Recommended

- Only annual performance reviews
- One-way conversations
- Closed-door policy
- No transparency
- Subjective manager opinion
- Reviewing only past performance
- No follow-up

Recommended

- Short quarterly or monthly reviews
- Two-way conversations
- Review recent performance and coach to impact development and growth
- Open-door policy
- Transparent and collaborative
- Include next steps and follow-up



Discipline Policy

Progressive discipline refers to an increasing level of punitive action if an employee fails to meet requirements for improvement.

Verbal Warning- A verbal warning may be appropriate for minor infractions or where performance needs only minimal improvement to be satisfactory.

Written Warning- A written warning may be used with a more serious infraction or when it appears a verbal warning(s) did not produce a sufficient behavioral change.

Suspension- A suspension may be used after one or more written warning were given with resulting in improvement of performance.

Termination- A termination after progressive discipline has not produced desired behavioral changes.



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Discipline

- Be prepared
- Document
- Have meetings in person vs over the phone
- Consistency in the discipline process



Reasons for disciplinary action

- Policy or procedure violations
- Work performance
- Harassment or violence
- Illegal behavior
- Attendance issues
- Discrimination

Example of a disciplinary action or written notice

Employee: Lucy Bell

Violation: Tardiness

Date: 8/16/2021

Position: CNA

Summary of events

Lucy was 3 hours late to work, didn't properly notify her supervisor that she was going to be coming in late to work.

Employee Statement

Next steps or action taken

Employee's name/signature and date

Disciplinary Action: Things to Remember

- Don't let frustration get the best of you
- Keep your employee handbook within reach
- Document all details of disciplinary conversations
- Make sure your process is consistent for all employees

Before Terminating an Employee with Performance Issues

- Write down everything
- Clearly communicate expectations
- Coach them
- Performance Improvement Plan?
- Written warnings

Termination

- Washington is an at-will employment state
- State law gives employees protection in the following areas:
 - Minimum Wage Act
 - Injured worker's claims
 - Safety complaints
 - Discrimination in the workplace
 - Protected leave
 - Equal Pay and Opportunities Act
- <https://www.lni.wa.gov/workers-rights/workplace-policies/termination-retaliation>

Types of Terminations

- Layoffs
- Firing
- Wrongful termination
- Involuntary vs voluntary

Employee Handbook

- Policies
- Clear expectations
- Set standards
- Get employee to sign

You can find and download the employee handbook in the Resources section on our website at www.longtermcarefoundationwa.org/resources.



Termination FAQs

- After an employee is terminated when is the final paycheck due?
- How do I terminate an employee for poor performance?
- What is considered a wrongful termination?
- Is it legal to be fired from a job for no reason?
- Is it legal for a worker to be fired from their job without any notice?



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Thank you for your time!

Questions?

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