	THE JOHNS HOPKINS HEALTH SYSTEM CORPORATION AND THE JOHNS HOPKINS HOSPITAL HUMAN RESOURCES POLICY and PROCEDURE MANUAL	Policy Number	HR603
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POLICY

Johns Hopkins Health System Corporation (JHHSC) and The Johns Hopkins Hospital (JHH) are committed to establishing standards of conduct in the workplace. This policy sets guidelines and procedures for maintaining these standards of conduct, congenial working conditions and employee safety. It is the policy of JHHSC/JHH that such standards are enforced in a consistent and equitable manner to promote operating efficiency and optimum patient care.

JHHSC/JHH expects every employee to observe basic rules of good conduct. It is important that employees understand these standards of conduct and the consequences.

Disciplinary action taken under this Policy is to:

1. Inform employees of behavior or conduct that is considered inappropriate and/or does not meet departmental standards or expectations.
2. Allow employees to correct such behavior and bring performance to an acceptable level.

This policy is a tool for use in managing the behavior of all employees. Standardization and consistency are necessary, but good judgment and common sense are also vital to the success of the program. While the techniques and tools should be consistent, the treatment of people must continue on an individual basis.

PROGRESSIVE DISCIPLINE STEPS

Pre-disciplinary Counseling


Pre-disciplinary counseling is a corrective discussion between the employee and the supervisor regarding the employee's failure to meet performance standards, service standards, and expectations. During this discussion an attempt is made to identify the cause of the problem and prevent recurrence of the undesirable behavior. Documentation of counseling *permanently* becomes part of the employee's file.

Written Reprimand

A written reprimand is a written notice to an employee regarding the employee's failure to meet performance standards, service standards and expectations. It will include a discussion of the behavior or performance at issue, expectations for improvement, and a timetable for making corrections. A follow-up date to review the situation will also be included. An employee's failure to comply with the terms of a written reprimand will result in progressive disciplinary action. A written reprimand remains active for one (1) year and becomes a permanent part of the employee's file.

Written Warning with Decision-Making Leave

A written warning is notice with one-day suspension. Upon return to duty, management will meet with the employee to discuss and/or clarify the work plan. A work plan is a written document (or verbal discussion which is documented) that outlines action steps an employee will take to address the unacceptable behaviors identified by management. Management has the responsibility to specify outcomes should the Work Plan not be followed. A written warning with decision making leave remains active for one (1) year and becomes a permanent part of the employee's file.

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Suspension Pending Discharge

The time period for management to investigate an apparent violation. The outcome of the investigation will be termination or return to work. If the determination is that no disciplinary action is required, the employee's pay will be restored. Manager's should prepare and review complete documentation with an HR Consultant.

NOTE: An exempt employee will be paid during suspension pending discharge pursuant to Fair Labor Standards Act.

Discharge (Involuntary Termination)


Discharge is the most serious disciplinary action imposed. It is used for violation of Critical rules which are considered Critical violations or because of cumulative/progressive discipline.

CORRECTIVE ACTION RULES FOR MINOR, MAJOR, AND CRITICAL RULES

1. Minor Violations

Minor Violations normally warrant *pre-disciplinary* counseling on the first offense. Listed below are examples (not all inclusive) of minor violations.

- Accepting money from patients or family members, or engaging in the unauthorized sale of services, merchandise, raffle tickets, lotteries, etc
- Unauthorized use of nourishments or food *intended* for patient *use*
- Unauthorized absence from an assigned work area, less than one (1) hour
- Failure to complete required time records, or sign in or out of work area where required
- Unauthorized or inappropriate use of the telephone, computer, E-mail, voice mail, fax or other office/business equipment
- Negligent use of property resulting in damage or loss
- Failure to follow JHHSC/JHH department, division, unit standards, and infectious control policies covering personal hygiene, grooming standards, and standards regarding the wearing of uniforms and/or scrubs.
- Unsatisfactory job performance, or otherwise not performing to standards
- Returning to or remaining on the premises during non-working time, except to conduct business or seek medical care
- Unauthorized solicitation or distribution of material on the premises during work time, or in patient care areas during non-working time
- Presence in an unauthorized area
- Failure to call in an absence or tardiness according to departmental procedures
- Unwelcome, intimidating or harassing comments, remarks, conduct or gestures creating an unfavorable *hostile* working environment
- Engaging in rude or discourteous behavior
- Failure to produce professional license renewal in a timely manner

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2. Major Violations

Major Violations normally warrant written/decision-making leave on the first offense


Listed below are examples (not all inclusive) of major violations:

- Soliciting gifts or money from patients or family members.
- Failure or refusal to perform assigned duties or carry out instructions or engaging on any activity detrimental to the operations of JHHSC/JHH
- Violation of posted safety, security, health, or fire prevention rule, or otherwise causing a safety hazard or failure to report an unsafe condition existing on the premises
- Engaging in disruptive, unprofessional or inappropriate behavior while on the premises, including but not limited to using profane and abusive language, gambling, horseplay, practical joking, name-calling, yelling, arguing loudly in a public area, etc
- Harassment/Discrimination including advances verbal and/or physical conduct, with regard to all applicable laws covering JHHSC/JHH's EEO/AA Policies, when submission or rejection of such harassment is used as a basis for employment decisions, or where such harassment has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.
- Reporting to work while under the influence of any intoxicant, hallucinogenic, or narcotic or where the presence of any such agent can be established by a "for cause" drug test under the Substance Abuse Policy
- Unauthorized absence from an assigned work area more than one (1) hour
- Unauthorized use of property

3. Critical Violations

Critical Violations normally warrant immediate discharge or suspension pending discharge on the first offense. Listed below are examples (not all inclusive) of critical violations

- Deliberate inattention to patient care, or engaging in any conduct detrimental to patient care, or the safety and security of patients, employees, or visitors.
- Unauthorized possession of a deadly weapon on the premises
- Smoking in non-designated areas
- Theft of property, or willfully causing damage to, waste of, or loss of property
- Falsification of records, alterations of documents, and any fraudulent activities relating to JHHSC/JHH business
- Fighting, issuing threats or verbal abuse, or other disorderly conduct on the premises, or while otherwise engaged in JHHSC/JHH business
- Failure to submit to a required fitness for duty examination, including testing for drugs or alcohol.
- *Job abandonment*—No longer covered by this policy. Please refer to HR608 – Separation.
- Violation of Security Access - Patient Information Policy or deliberately releasing

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confidential information covering Hopkins business, patient information, employee information, etc.

- Unauthorized possession or use of an intoxicant, hallucinogenic, or narcotic while on the premises
- A criminal complaint, arrest, indictment, or conviction of an employee for alleged unlawful activity may result in a suspension pending an investigation or discharge, depending upon, for example, the alleged seriousness of the act, or the job-relatedness, and the evidence supporting the allegation(s).
- Failure to notify management regarding criminal complaint, arrest, or convictions that occur during the course of employment.

Important to Note: HR Consultants will have the responsibility to assist management in the evaluation of allegations of “a criminal complaint, arrest, indictment or conviction” as described above, in partnership with Corporate Security Department, to recommend, on a case-by-case basis, whether suspension and/or disciplinary action, up to and including discharge, should occur.


4. Disruptive Conduct

Conduct by an employee that intimidates others to the extent that quality and safety could be compromised cannot be accepted or tolerated. Such conduct may be verbal or non-verbal, may involve the use of rude language, may be threatening, or may involve physical contact. Any behavior that interferes with the ability of others to carry out their duties or that undermine a patient’s confidence in the organization may be considered disruptive. Discipline appropriate to the actual conduct or actions will be applied in accordance with this policy.

Cumulative Violations

Subsequent violations generally will move to the next step in the discipline process (e.g., **Written Reprimand** will be followed by a **Written Warning with Decision Making Leave** which will be followed by **Discharge** if violations continue). Examples of cumulative actions are as follows:

MINOR VIOLATION	ACTION ISSUED	DATE
Failure to Follow Dept Rule	<i>Pre-disciplinary counseling</i>	01/12/03
Presence in Unauthorized Area	Counseling	01/15/03
Failure to Follow Dept Rule	Written Reprimand	02/18/03
Unsatisfactory Performance	Counseling	03/07/03
Unsatisfactory Performance	Written Warning with Decision Making Leave	04/02/03
Presence in Unauthorized Area	Suspension Pending Discharge	04/30/03

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Multiple Violations of Minor, Major or Critical Levels

For any combination of violations disciplinary action will be taken in the following manner (all actions for minor violations are to be preceded with counseling):

PREVIOUS ACTION	+	NEXT VIOLATION	=	OUTCOME
Written Reprimand for a Minor Rule Violation	+	Written Reprimand for a Minor Rule Violation (for which counseling has been issued)	=	Written Warning with Decision Making Leave
Decision Making Leave for a Major Rule Violation	+	Written Reprimand for a Minor Rule Violation	=	Discharge
Written Reprimand for a Minor Rule Violation	+	Critical Rule Violation (Suspension pending discharge, if warranted)	=	Discharge
Decision Making Leave for a Major Rule Violation	+	Decision Making Leave for a Major Rule Violation	=	Discharge

RESPONSIBILITIES

Supervisor

The supervisor is responsible for the ongoing communications with employees under their supervision regarding standards of conduct and enforcing JHHSC/JHH rules and regulations and for the handling of any disciplinary action that may be required.

The supervisor has the responsibility to accurately document and issue discipline in a timely manner on the proper forms. HR Consultants should be contacted for assistance.

Copies of all disciplinary action that is issued must be sent to the Office of HR Consultants and Labor Relations and the *HR Service Center* immediately (within 24 hours of the issuing of the action).

Employee

The employee is responsible for understanding and following all rules of conduct of-JHHSC/JHH which are outlined in this policy. (Also see the Employee Handbook)


PROCEDURES

Please note that completed copies of paperwork should be distributed as follows:

- Original - HR Service Center
- 2nd copy - to the Office of *HR Consultants and Labor Relations*
- 3rd copy - Department Head
- 4th copy – Employee

Pre-disciplinary counseling

Before taking formal disciplinary action for violation of a Minor rule, the employee should be afforded

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corrective and/or developmental counseling. It is recommended that employees be provided with a written copy of corrective developmental recommendations. **The counseling should be documented on the Disciplinary Action Tracking Form (See Attachment 1) for departmental uses only. The Disciplinary Action Report (See Attachment 2) should also be filled out. Employee's signature is not required for counseling.**

NOTE: There must be a documented counseling for the initial violation of each Minor Rule.

Written Reprimand

A written reprimand will remain active for one (1) year; however, the documentation will not be removed from the employee's file.

Written Warning with Decision Making Leave

A Written Warning with Decision Making Leave will remain active for one (1) year; however, documentation will not be removed from the employee's file.

If sufficient improvement has not occurred at the time of the follow-up meeting, the supervisor can put the employee in the next step of discipline.

Suspension Pending Discharge

Before any suspension pending discharge, Office of HR Consulting and Labor Relations is to review the proposed action.

NOTE: An exempt employee will be paid during suspension pending discharge, pursuant to the Fair Labor Standard Act.

Discharge

Before any discharge, the proposed action must have the approval of the Office of Employee/Labor Relations before it becomes final.

SPONSOR

Vice President, Human Resources

REVIEW CYCLE

3 Years

APPROVAL



 Vice President, Human Resources

 1/1/2011
 Date