



**Performance Management  
and Corrective Discipline  
SOP (1 of 2)**

SOP 08.20.02

Effective Date: February 12, 2021

## 1.0 Standard Operating Procedure (SOP) Purpose

The purpose of this SOP is to provide supervisors and management guidelines to address workplace performance deficiencies. Work performance can encompass a variety of work behaviors that include, but are not limited to:

- Inability to complete work assignments or correct errors in a reasonable amount of time;
- Inability to or unwillingness to learn new tasks or skills or to work collaboratively; or
- Inability to exercise good judgment.

## 2.0 SOP

When supervisors identify areas or patterns of unsatisfactory work performance of their employees, they are encouraged to discuss the problems and ways to improve performance with each employee. If the unsatisfactory work performance continues, and if appropriate, supervisors may establish a formal period of evaluation or issue a performance improvement plan (PIP) during which an employee can address performance concerns.

The following procedures offer guidance for managing unsatisfactory work performance requiring immediate or ad hoc attention beyond that afforded within the context of the annual performance appraisal and goal setting process.

### 2.1 Informal Feedback

Supervisors have a responsibility to reinforce and clarify work expectations for a staff member. Key steps include:

- An employee should be given timely, balanced, and constructive feedback identifying areas in which performance meets or exceeds expectations, as well as performance concerns that require improvement.
- Supervisors are encouraged to use coaching and counseling because it often corrects unacceptable work performance and avoids the need for additional measures.

#### 2.1.1 Coaching

Coaching components are listed below:

- Supervisors should coach a staff member by providing informal but specific guidance, instruction and/or training to reinforce and clarify work expectations.

- Supervisors should document when and why they have coached a staff member about the staff member's work performance and should maintain documentation of coaching.
- Please note that a staff member does not receive written documentation of coaching.

### **2.1.2 Counseling**

If coaching does not solve the concerns, supervisors should counsel a staff member. Counseling components follow:

- Counseling consists of a more explicit explanation of work performance concern. The counseling phase should also reinforce and clarify work performance expectations.
- Supervisors should provide written confirmation of the details of the counseling session, including the specifics of the expected level of performance (e.g., an email summarizing the discussion) to a staff member.
- Supervisors should maintain a copy of the written confirmation in their department personnel files.

## **2.2 Formal Performance Management Measures**

If informal coaching and counseling fail to solve the performance concern, supervisors, after consulting with the Senior Director of Labor and Employee Relations or an Assistant Director of Employee and Labor Relations, should initiate formal measures to address the performance concern. Steps in the formal performance management process are listed below.

### **2.2.1 Performance Improvement Plan (PIP)**

A Performance Improvement Plan (PIP) is generally used to clearly and explicitly communicate to a staff member when their work performance has not sufficiently improved following their receipt of counseling as described above. PIPs are issued in consultation with the Senior Director of Labor and Employee Relations or an Assistant Director of Employee and Labor Relations.

Once a decision is made for an employee to be placed on a PIP, the supervisor, with the assistance of University Human Resources, will meet in person with the employee to discuss the time period of evaluation (or issuance of PIP) and to identify the specific areas within the employee's job description where demonstrated and sustained improvement must occur in order to continue employment. At a minimum, a PIP should provide the following:

- Clear notice to the staff member that his/her employment is in jeopardy and failure to demonstrate immediate and sustained improvement will result in termination from the University. A PIP should include the following components:
- Identify specific details of the issue or concern and dates;
- Explain how the performance (or action) is falling short of expectations;
- Detail expectations for improvement and the corresponding timeframe;
- Identify measurements, resources, and support for the employee to improve performance;

- Include a statement that if the unacceptable performance continues, or other problems occur, the staff member may be terminated.
- An established timeline (usually 30 to 90 days) during which the staff member's performance must improve and be sustained at an acceptable level.

Where possible, supervisors should include employee input on the ways to correct/remedy unsatisfactory work performance.

During the PIP, the supervisor will meet regularly with the employee to provide feedback on the employee's progress as well as to review problems, concerns and/or answer questions that may arise about work performance. One-on-one weekly or bi-weekly meetings with the employee and supervisor are encouraged, and supervisors should provide formal reviews in writing at least every 30, 60 and 90 days of the PIP. University Human Resources can attend meetings if needed.

The supervisor will also communicate updates to University Human Resources on the employee's progress in relation to the terms of the PIP. University Human resources may also meet individually with an employee to provide counsel to the employee on ways to improve performance as well as to discuss other employment or offer training options.

A progress report must be offered to the staff member, at or near the end of the PIP period as well as a decision as to whether the staff member's performance has sufficiently improved to be retained in the staff member's current position. If performance improvement is reached, the supervisor will notify the employee in writing of the successful completion of the PIP. If some performance improvement is reached, the supervisor has the discretion to extend the period of evaluation of the PIP, but under no circumstances should the total evaluation period of the PIP extend beyond a total of six (6) months or 180 days.

If there is evidence that the employee cannot or will not improve work performance, the supervisor will conduct a final assessment in consultation with University Human Resources to determine if termination of employment is warranted. Factors to be considered include, but are not limited to, the following:

- The length of time the employee has been employed or has been in the position;
- The seriousness or egregiousness of unsatisfactory performance; and
- The impact that the unsatisfactory performance has on the essential business needs of the University and the department (e.g., unsatisfactory performance in a position that requires close and/or regular interaction with students, and the salary grade level or supervisory responsibilities of the employee.)

During this review, University Human Resources may consider alternative possible outcomes, such as reassignment, transfer, or demotion for the employee based on specific circumstances. In the event that University Human resources agrees with the recommendation to terminate, the employee will be notified of the termination in writing or in person by the University Human Resources. The termination letter will include the last date of employment.

New or serious performance concerns that arise during the PIP period may result in acceleration of the performance management evaluation period including, but not limited to, discipline or immediate termination of employment after consultation with the Senior Director of Labor and Employee Relations or an Assistant Director of Employee and Labor Relations.

University administrators with supervisory responsibilities or in a salary grade level 13 or above are not subject to a formal period of performance evaluation before an adverse employment action is taken by the University for the employee.

### **2.2.2 Written Notice of Expectations**

Written notice of expectations may be used outside of the scope of the Performance Management Policy to clarify job responsibilities when:

- A staff member's duties have changed as a result of a departmental reorganization,
- A new work process has been introduced, or
- A staff member is assigned to a project that includes new job duties and responsibilities or is assigned to a new supervisor.

Written notice of expectations is a document designed to explicitly communicate job expectations and outlines consequences of failing to meet expectations. Written notice of performance expectations is designed to:

- Describe the desired performance standards;
- Describe the staff member's work performance gaps using specific examples;
- Describe the steps that a staff member must take to meet his/her work performance expectations;
- Establish regularly scheduled meetings with a staff member and the supervisor to ensure an ongoing dialogue occurs to address performance concerns; and
- Written notice of performance expectations must be issued only after consultation with the Senior Director of Employee and Labor Relations or an Assistant Director of Employee and Labor Relations.

### **2.3 Documentation Guidelines**

Documentation of formal performance concerns described herein should be placed in an employee's personnel file in University Human Resources. When (or if) documentation of a formal performance concern should be removed from an employee's personnel file will be evaluated on a case-by-case basis.

Documentation of informal measures (coaching and counseling) should not be placed in an employee's personnel file. Instead, supervisors should maintain such documentation in their critical incident work files.

## **3.0 Definitions**

For the purpose of this SOP, the terms below have the following definitions:

**Performance Improvement Plan:** A formal performance management process document that facilitates constructive discussion between a staff member and their supervisor and that clarifies specific work performance requiring improvement.

**Performance Management:** Actions designed to address performance concerns or inappropriate work-related conduct of an employee through guidance on the improvements necessary to achieve or return to acceptable performance. Performance management may include counseling, coaching, performance improvement plans, or other appropriate forms of guidance. Examples of work performance concerns that can be addressed through performance management include, but are not limited to, the following:

- Inability to complete work assignments or correct errors in a reasonable amount of time;
- Inability or unwillingness to learn new tasks or skills or to work collaboratively; or
- Inability to demonstrate sound judgment.

#### 4.0 Responsibilities

All individuals to whom this SOP applies are responsible for becoming familiar with and following this SOP. University supervisors are responsible for promoting the understanding of this SOP and for taking appropriate steps to help ensure compliance with it.

**Supervisors:** Supervisors are expected to establish clear performance goals and address performance timely during the annual performance appraisal process. Supervisors will consult with UHR when performance falls below acceptable standards or when conduct violates University policies and procedures. Supervisors will issue a Performance Improvement Plan when necessary to address performance concerns.

**Employees:** Employees are expected to seek clarification of performance goals whenever necessary. Employees will seek guidance from their supervisor when performance falls below acceptable standards or seek consultation from UHR to address inquiries in a Performance Improvement Plan if the supervisor has not addressed those inquiries.

**University Human Resources (UHR):** UHR will provide consultation as necessary to address work performance concerns; to confirm whether conduct has violated University policies or procedures, to review Performance Improvement Plans; to review informal coaching or counseling documents, to meet with a supervisor and employee when a Performance Improvement Plan must be issued, and to review and approve disciplinary action, or approve a termination of employment decision.

#### 5.0 Related Information

This SOP is not a legal document. This SOP does not confer a term of employment, nor is the language intended to establish a contract of employment, express or implied, between any employee and Brown University. The University reserves the right to change, amend or terminate any of its human resources policies or SOPs at any time for any reason.

Employment at Brown University is based on the premise of employment at will. This means that employment can be terminated with or without cause, with or without notice at any time at the option of either the University or the employee (unless the employment relationship is governed by a written agreement).

The following information compliments and supplements this document. The information is intended to help explain this SOP and is not an all-inclusive list of policies, procedures, laws and requirements.

**5.1 Related University Policies:**

- [Performance Management and Corrective Action Policy](#)
- [Code of Conduct](#)
- [Non-Retaliation Policy](#)
- [Involuntary Termination Policy](#)

**5.2 Related SOPs:**

- [Performance Management and Corrective Disciplinary SOP \(2 of 2\)](#)

**5.3 Related Forms:** N/A

**5.4 Frequently Asked Questions (FAQs):** N/A

**5.5 Other Related Information:** N/A

**6.0 SOP Owner and Contact**

**6.1 SOP Owner:** Vice President for Human Resources

**6.2 SOP Approved by:** Vice President for Human Resources

**6.3 Subject Matter Contact:** Senior Director of Employee and Labor Relations

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**7.0 SOP History**

**7.1 SOP Effective Date:** February 12, 2021

**7.2 SOP Last Reviewed:** N/A

**7.3 SOP Update/Review Summary:** Formatted to comply with new University SOP template.