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Introduction:

The School of Medicine (SOM) Clinical Operations (CO) work rules establish the standards of conduct and performance for all SOM employees working in Clinical Operations. They are designed to facilitate the management of integrated clinical operations and are consistent with the University's policies, which are incorporated here by reference. Violation of and/or failure to adhere to these work rules may result in disciplinary action, up to, and including termination. All disciplinary action should be documented on the Disciplinary Form (see Attachment). Completed paperwork will be provided to the employee, the departmental file and School of Medicine Human Resources. The University reserves the right to change its policies and these work rules without notice. This work rule and the processes described in this document do not change the at-will status of SOM staff and do not constitute a contract. SOM explicitly reserves the right to terminate employment immediately without applying progressive discipline whenever, in its sole discretion, it determines such action is warranted. When addressing a conduct issue, supervisors are advised to refer to the official source of the policy to ensure they are considering the most current and complete iteration of the policy in question.

NOTE- JHU reserves the right to not follow progressive discipline and proceed directly to immediate suspension and/or termination. It is recommended that the JHU School of Medicine HR office be contacted to discuss the performance concerns and determine the appropriate action. Disciplinary action issued under this work rule remains active for one year.

Pre-Disciplinary Steps:

Documented Coaching and Counseling

Coaching and counseling is a discussion between the supervisor and a staff member who fails to adhere to the standards of conduct or to meet expected standards of performance. Under most circumstances coaching and counseling will occur outside of the progressive discipline process.


Progressive Discipline Steps:

Documented Verbal Counseling

Documented verbal counseling is the first step in the progressive discipline process. This is a written communication from the supervisor to the staff member to document ongoing conduct or performance concerns and expectations.

Written Warning

A *written warning* is a written communication from the supervisor to the staff member who either does not adhere to standards of conduct or who does not meet expected standards of performance. Prior to delivering the communication to the staff member, it should be reviewed by School of Medicine HR in partnership with the departmental human resources designee.

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Suspension

Suspension is imposed upon a staff member who fails to adhere to standards of conduct or performance. Following consultation with School of Medicine HR and the departmental human resources designee, the length of the suspension is determined by the department and usually ranges from one to three working days without pay. Documentation of the suspension includes the specific days of the suspension as well as the date and time the staff member is to return to work. All employee suspensions must be approved by School of Medicine HR in consultation with the departmental human resources designee.

Suspension Pending Review for Termination

Suspension pending review for termination is utilized, where appropriate, to facilitate a review of the circumstances to determine whether the staff member should be terminated or what, if any, other action should be taken.

Involuntary Termination

Before any involuntary termination, the department must have the approval of School of Medicine HR and the departmental human resources designee.


Disciplinary Action Rules for Minor, Major, and Critical Rule Violations:

Nothing in this Work Rule, or the classification of a violation as “minor,” “major” or “critical,” changes the at-will status of SOM employees. SOM reserves the right to terminate any employee immediately without following a progressive disciplinary process, whenever, in its sole discretion, it determines such action is warranted. While the disciplinary actions for Major and Critical Rule Violations normally warrant written warning and/or, suspension or involuntary termination, respectively, individual circumstances may require management to implement a greater or lesser corrective action as determined by School of Medicine HR.

1. Minor Violations

Minor Violations normally warrant *documented coaching and counseling* on the first offense. Listed below are examples (not all inclusive) of minor violations:

- Engaging in rude or discourteous behavior
- Failure to call in an absence or tardiness according to departmental procedure
- Failure to give proper advanced notification for leave, e.g. military, civic responsibility
- Failure to complete required time records, or sign in or out of work area, where required
- Negligent use of JHU property which could result in damage or loss
- Presence in any unauthorized area
- Remaining on the premises during non-working time, except to conduct business or seek medical care
- Unauthorized use of the telephone, computer, email, voice mail, fax or other office/business equipment or university property
- Soliciting or distributing material on the premises during work time or in patient care areas during non-working time unless authorized

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- Engaging in the unauthorized sale of services, merchandise, raffle tickets, lotteries, etc.
- Taking nourishments or food intended for patient use
- Failure to follow JHU organization, department, division, and/or unit policies, procedures, and/or standards
- Failure to follow JHU department 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
- Unwelcome comments, remarks, conduct or gestures creating an unfavorable working environment
- Unauthorized or inappropriate use of personal electronic communication device(s)
- Misuse of social media or other means of expression (oral or written) on or off duty

2. Major Violations


Major Violations normally warrant a *written warning* and/or *suspension* on the first offense. Below are examples of major violations (not all inclusive):

- Accepting and failing to report cash or cash equivalent (e.g., gift cards) gratuities of any value, or non-cash gifts of more than \$75.00 value from patients, family members, or vendors
- Deliberate misrepresentation of work related matters relating to JHU operations, safety or patient care
- Refusal to perform assigned duties or carry out instructions or engaging in any activity detrimental to the operations of JHU
- Smoking in areas designated as "no smoking," including e-cigarettes
- Any absence from an assigned work area for more than one (1) hour without receiving authorization in advance
- Unauthorized use of university property
- Failure to follow posted safety, security, health, or fire prevention rules, or otherwise causing a safety hazard or failure to report an unsafe condition existing on the premises
- Disruptive, disorderly, 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
- Harassment or discrimination including advances verbal and/or physical conduct with regard to or on the basis of race, color, religion, national origin, sex, age, marital status, sexual orientation, disability, or veteran's status, 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

3. Critical Violations

Critical Violations may warrant immediate *involuntary termination* or *suspension pending review for termination* on the first offense. Listed below are examples of critical violations (not all inclusive):

- A criminal complaint, arrest, indictment, or conviction of an employee for alleged unlawful activity may result in a suspension pending review for termination or involuntary termination depending upon, for example, the alleged seriousness of the act, or the job-relatedness, and the evidence supporting the allegation(s)


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- Failure to notify management regarding criminal complaint, arrest, or convictions that occur during the course of employment
- Abandonment, neglect or abuse of patients
- Violations of security access, the patient information policy or HIPAA violations, or the deliberate release of confidential information covering Hopkins business, patient and employee information, etc.
- Failure to submit to a required Fitness for Duty examination, including testing for drugs or alcohol
- Falsification of time sheets, records and/or documents, alterations of documents, or any fraudulent activities relating to JHU business
- Intentionally disregarding a security or safety directive from public safety personnel on the premises for official business
- Reporting to work while impaired or under the influence. Situations of this nature may warrant a For Cause drug test after careful review and investigation in partnership with Central HR.
- Unauthorized possession or use of an intoxicant, hallucinogenic, or narcotic while on the premises
- Soliciting gifts or money from patients or family members
- Theft of or willful damage to, waste of, or loss of university property
- Possession, wearing, carrying, transporting, or use of firearm or pellet weapons, all of which are strictly forbidden on university premises
- Violent acts on any campuses, at off campus locations administered by the University, or in university sponsored programs. This policy of "zero tolerance" extends not only to actual violent conduct but also to verbal threats and intimidation, whether by students, faculty, staff, or visitors to the University

Multiple Violations of Minor, Major or Critical Levels

Actions for minor violations are generally preceded with coaching and counseling (please consult with the departmental human resources designee and/or School of Medicine HR). However, as noted above, staff are employed at-will and SOM may immediately terminate an employee for any reason without conducting coaching or counseling or progressive discipline where, in its sole discretion, it determines that action is warranted. For any combination of violations, below is an example of how disciplinary action follows a progressive process:

PREVIOUS ACTION	+	NEXT VIOLATION	=	OUTCOME
Written Warning	+	Written Warning (for which coaching and counseling has been issued)	=	Suspension
Suspension	+	Written Warning	=	Involuntary Termination
Written Warning	+	Suspension that leads to disciplinary action	=	Involuntary Termination
Suspension	+	Suspension	=	Involuntary Termination

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Cumulative Minor Violations

Subsequent repeated minor violations generally will move to the next step in the discipline process (i.e. – documented verbal counseling will be followed by written warning which will be followed by suspension) if violations continue. SOM reserves the right not follow every step in the disciplinary process and may proceed to immediate termination at any time where, in its sole discretion, it determines such action is warranted.

Examples of repeated minor violations are as follows:

MINOR VIOLATION	ACTION ISSUED	DATE
Failure to follow dept. policy	Documented Coaching and Counseling	1/12/17
Presence in an unauthorized area	Documented Coaching and Counseling	1/15/17
Failure to follow dept. policy	Documented Verbal Counseling	2/18/17
Unsatisfactory performance	Documented Coaching and Counseling	3/7/17
Unsatisfactory performance	Written Warning	4/2/17
Failure to follow dept. policy	Suspension	4/15/17
Unsatisfactory performance	Involuntary Termination	4/30/17

For all appeals regarding work-related issues staff should refer to HR032 of the Human Resources Policy Manual- https://policies.jhu.edu/?event=render&mid=800&pid=32135&fid=032.pdf&_id=0.100082563577.

Relevant University Policies and References:


JHU Personnel Policy Manual- <https://policies.jhu.edu/?event=manual&manualid=800>

Work Related Issues and Appeal Process, Human Resources Policy Manual, HR032-
https://policies.jhu.edu/?event=render&mid=800&pid=32135&fid=032.pdf&_id=0.100082563577

Standards of Conduct and Performance, Human Resources Policy Manual, HR027-
https://policies.jhu.edu/?event=render&mid=800&pid=32130&fid=027.pdf&_id=0.197805361076

Policy Addressing Campus Violence-
https://www.jhu.edu/assets/uploads/2014/09/campus_violence.pdf

OIE Anti-Harassment Policy- <http://oie.jhu.edu/discrimination-and-harassment/general-anti-harassment-policy.html>

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Policy on Alcohol and Drug Abuse and Drug-Free Environment-
https://policies.jhu.edu/?event=render&mid=800&pid=32008&fid=006.pdf&_id=0.226842356093

Possession of Firearms on University Premises-
https://policies.jhu.edu/?event=render&mid=800&pid=32144&fid=Possession_of_firearms.PDF&_id=0.539814785891

Social Media-
http://intranet.insidehopkinsmedicine.org/privacy_office/privacy_topics/ways_to_communicate.html

Diversity Leadership Council- <http://web.jhu.edu/dlc>

The Office of Institutional Equity (OIE)- <http://oie.jhu.edu/index.html>


The Faculty and Staff Assistance Program-
http://hopkinsworklife.org/employee_assistance/fasap/index.html

JHM Health, Safety & Environment- <http://www.hopkinsmedicine.org/hse/>

HIPAA Compliance Training-
https://hpo.johnshopkins.edu/enterprise/policies/176/19299/policy_19299.pdf?_id=0.744644945851

Service Excellence Training- <http://www.hopkinsmedicine.org/service>

**ATTACHMENTS- PRE-DISCIPLINARY COACHING AND COUNSELING FORM
DISCIPLINARY FORM**

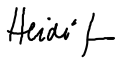
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APPROVAL:



 Cherita Hobbs, Executive Human Resources Director, JHU

 March 11, 2021
 Date



 Heidi Conway, VP Human Resources, JHU

 November 2, 2020
 Date

ACKNOWLEDGEMENT:

Employee Signature

Date