

Progressive Discipline

General Information

- Whenever possible, coaching and counseling should precede any disciplinary action.
- The types of disciplinary actions typically included in an agency's progressive discipline policy are oral reprimand, written reprimand, suspension and termination. An agency may also use reassignments, reclassifications, unclassified State title changes and demotions as types of disciplinary actions.
- Because probationary employees do not have grievance rights, agencies should not use their progressive discipline policy with probationary employees.
- A disciplinary action should generally be in the form of a letter and include the following items:
 - The effective date of the action;
 - Facts - define the problem based on facts, including any past disciplinary problems;
 - Objectives - define what must be done to correct the problem or what the desired behavior is;
 - Solutions - indicate the resources that will be provided to help the employee achieve the desired behavior; and
 - Actions - state the consequences of not correcting the behavior and the time limit within which the problem is to be corrected.
- An agency generally should include documentation of disciplinary actions in an employee's personnel file.
- Oral reprimands should be documented, and the documentation should be signed by both the employee and the supervisor.
- If the employee refuses to sign the disciplinary action letter or form, a notation of this should be made on the disciplinary action letter or form. If possible, a witness should sign to acknowledge that the employee refused to sign the documentation.
- Before taking disciplinary action, agencies should refer to their progressive discipline policy, the Act on Alcoholism, the American with Disabilities Act (ADA), the American with Disabilities Act Amendments Act (ADAAA), S.C. Code of Laws Section 8-11-110, Section 44-107-10 through 90 (Drug Free Workplace Act), the State Human Resources Regulations Section 19-710.04, B.5. and the Omnibus Transportation Employee Testing Act of 1991 (for employees with a commercial driver's license).

Progressive Discipline Policy Approval and Review

- The Division of State Human Resources must approve an agency's progressive discipline policy.
- The approved policy does not become effective until employees receive actual notice of any revisions to the policy, including a date for implementation.