

**Northwell Health**  
Human Resources Policy and Procedure Manual

<b>Policy Title:</b> Conduct in the Workplace/Progressive Discipline	<b>Part:</b>	5	<b>Revised/Reviewed*:</b>	
	<b>Section:</b>	3	08/08/06 05/12/08	01/05/12 12/14/12
<b>Category:</b> Discipline and Standards of Conduct	<b>Effective Date:</b>	1999	11/21/08 02/09/09	12/24/13 01/23/14
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**Policy**

It is the policy of the organization to establish, maintain and consistently enforce established rules of conduct and discipline for all employees. Nothing contained in this policy should be construed as altering an employee’s at-will relationship. Failure to adhere to organization rules and policies, including the Codes of Professional and Ethical Conduct, may result in disciplinary action, up to and including termination.

**Purpose**

The purpose of this policy is to provide guidelines regarding the disciplinary process that is to be used when an employee or other persons covered by this policy violate Northwell Health rules and policies including the Codes of Professional and Ethical Conduct.

**Scope**

This policy applies to all Northwell Health employees.

**Procedures**

- A. Disciplinary action may range from verbal reprimand to termination.
- B. The organization has the right to discipline any employee for any lawful reason. The organization reserves the right to take whatever disciplinary action, at its sole discretion, it deems appropriate. The existence of several disciplinary alternatives should not be construed to mean that the organization must follow a particular course of discipline prior to termination.
- C. The facts and circumstances surrounding a rule violation or other misconduct will be investigated, as appropriate. Where there is a determination that an employee has engaged in misconduct, or has failed to comply with workplace rules or performance standards, disciplinary action may be initiated.

D. The steps in the progressive discipline process are applied on a case-by-case basis. The type of discipline imposed depends upon several factors including, but not limited to, the seriousness of the misconduct, severity of the offense, individual's prior work record or past violations, context in which violations occurred and any other factors deemed relevant by the organization to the situation. The steps of progressive discipline are:

1. Verbal Warning

- a. The purpose of a verbal warning is to correct the employee's behavior in a constructive manner.
- b. Identify the violation, issue or problem to the employee.
- c. Explain how the employee may improve his/her behavior to meet organization and department standards, if appropriate.
- d. Verbal warning should be documented and such document placed in the department file.

2. Written Warning

- a. The purpose of a written warning is to summarize what occurred (e.g. a behavior or incident) as well as the time and date of the occurrence.
- b. Site HR is consulted in advance of the issuance of the Disciplinary Warning and Action Taken Form.
- c. The Disciplinary Warning and Action Taken Form must be signed by the Department Head/designee and the employee and forwarded to Site HR.  
An employee's signature on the warning form does not constitute agreement with the contents of the warning; it indicates only that the employee has read it. If the employee refuses to sign the warning notice, a note to this effect should be written on the warning notice in the space provided for the employee's signature. Space is available for employee comments
- d. An interpreter should be present to prevent possible misunderstanding if the employee has limited English proficiency or is hearing impaired, and the interpreter's presence should be noted. An employee does not have the right to have an attorney or other outside individual (non-employee) present during the issuance of the disciplinary warning notice.
- e. Warning notices will be kept in the employee's departmental and human resources files.

### 3. Suspension From Work Without Pay and Termination

- a. The guidelines for written warnings should be followed for suspensions and terminations.
  - b. Before suspending or dismissing an employee for disciplinary reasons, the Department Head/designee must consult with Site Human Resources.
  - c. A terminated employee will be paid for all time worked in addition to any other payment owed to the employee, consistent with policy and applicable law.
- E. The organization does not condone any illegal activity on its property, or on property under its control, and will take appropriate action whenever such conduct is discovered to enforce the law as well as its own policies.
- F. The following are examples of prohibited conduct that may result in disciplinary action, up to and including immediate termination. Please note: the following is not an all-inclusive list and supplements other requirements/rules in the HR and Administrative Policies & Procedures Manuals:
1. Violations of the Confidentiality of Protected Health Information (e.g., HIPAA Privacy and Security Rules and Policies) and Personally Identifiable Information
  2. Incompetence and/or misconduct, including professional misconduct
  3. Failure to adhere to core values, including putting patients first, teamwork, integrity, caring, innovation and excellence
  4. Insubordination
  5. Possession of a weapon on Northwell Health property
  6. Illegal use of drugs, including, but not limited to, the sale, use or possession of any illegal drug, as defined by law, or any medically unauthorized drug; violation of a drug-free workplace requirements
  7. Stealing, fighting, gambling or possession of gambling devices
  8. Abandonment of position
  9. Excessive tardiness and/or absenteeism
  10. Falsification of time record and/or patient records
  11. Sexual harassment and/or any other unlawful harassment or discrimination

12. Sleeping while on duty
13. Theft or unauthorized use of Northwell Health property
14. Inappropriate use of the Internet and electronic mail
15. Violation of the organization's Codes of Professional and Ethical Conduct
16. Failing to report suspected non-compliant behavior
17. Encouraging, directing, facilitating or permitting non-compliant behavior
18. Retaliating against any individual who makes a good faith effort to report suspected non-compliant behavior
19. Smoking on Northwell Health property
20. Non-compliance with annual mandatory program on Safety, Infection Control and Quality and Corporate Compliance training
21. Non-compliance with annual mandatory health reassessments/clearance

**Related Policies**

- Part 02 – 6: Paid Time Off (PTO)
- Part 04 – 4: Annual Mandatory Program
- Part 06 – 6: Non-Discrimination and Non-Harassment
- Part 12 – 1: Termination of Employment: Voluntary, Involuntary
- Part 13 – 3: Electronic Communications Systems
- Part 13 – 6: Tobacco-Free Environment