



DOCUMENTING PERFORMANCE OR CONDUCT

CALENDAR ENTRIES

- Can be used to document instances of tardiness and absences. Just note the employees name and:
 - time of late arrival and reason for tardiness
 - time of early departure and reason
 - type of leave and reason for absence
- Can be used to note missed deadlines. On the date of actual submission, note what was due and when it was due.
- For hourly employees, can be used to document instances in which over time is worked/approved.

JOURNAL/LOG ENTRIES

- An alternative to calendar entries to document attendance.
- Can be used to note missed deadlines. Note what was due and when it was due. Also note when the task was actually submitted and whether or not you had to contact the employee for follow up.
- Can be used to describe instances of poor job performance and/or conduct concerns. Include the date and time and write a short narrative.
- Can also be used to document exemplary job performance.

EMAILS

- Can be used to provide specific information to an employee(s) regarding an assignment, including updates or changes. Be sure to include a deadline for submission of the assignment.
- Can be used to document discussions regarding performance and/ or conduct that have been held. To convey that this is a review of a prior conversation, you can start the email with, "As we discussed on [date] ..." or "Per our conversation on [date] ..." It may be advantageous to indicate, "If you believe that this email does not accurately summarize what we discussed, please respond with your concerns by [date]."
- Can be used to convey policy or procedure changes. When appropriate, the manager can ask each employee to respond to the email to confirm that they have read and understand it.
- It is advisable for managers to create an email file folder to retain pertinent information concerning their employees' performance/conduct, including complaints, accolades and/or concerns.

WRITTEN WARNINGS

- Written warnings are formal disciplinary actions. It is especially important to consult with Human Resources.
- Employee Relations before taking formal disciplinary action to ensure that appropriate due diligence is completed before proceeding.
- Please refer to the templates available on the HR Website > Employee Relations.
- After you have drafted the written warning, please send it to the designated employee relations director to review before meeting with the employee and providing the warning.

Human resources should be your trusted partner in managing employee performance/conduct. We strongly encourage managers to contact us early in the process to obtain timely guidance and assistance and to help prevent missteps.



DOCUMENTING PERFORMANCE OR CONDUCT

POINTS TO REMEMBER:

- Quality of documentation is very important. Please be sure to include all pertinent details, as appropriate.
- Be sure to save voice mail messages, text messages and/or emails that the employee sends for documentation. It may be helpful to take screenshots to document/preserve online documentation.
- The new performance management system allows managers to directly input performance/conduct information on an ongoing basis. Doing so will enable managers to have documentation readily available when completing the mid-year and annual reviews.
- There is no magic number of instances before you should move from documenting to addressing the issue(s). A good barometer for when it is time to move from documenting to taking action can include:
 - When you observe a pattern of behavior/conduct.
 - When the behavior/conduct becomes more than rare, occasional instances.
 - When the conduct/behavior starts having a significant negative workplace impact.
- A Performance Improvement Plan (PIP) may be an effective means to assist an employee to meet the performance and conduct standards for his/her position. Please consult with human resources/employee relations to determine whether or not a PIP would be appropriate. A PIP template may be found on the HR Website > Employee Relations. If a PIP will be used, please forward a draft to your partner Human Resources/Employee Relations manager to review **before** it is given to the employee.
- Remember that ensuring due process is a critical. If a manager has an issue/concern and/or if one or more is raised by others, it is essential to discuss the matter with the employee. Start with asking the employee open ended questions and be sure to document his/her responses. We must be able to substantiate that unsatisfactory job performance and/or misconduct has actually occurred.
- More (instances) is not better. It is best to proactively raise performance /conduct issues promptly to increase the likelihood that you can, “nip the issue in the bud.” Having a long list of documented instances without having documented discussions with the employee to communicate the issues and seek resolution is counterproductive.
- Be very careful and deliberate about what information is put in writing. It is essential that managers refrain from the following in their communications (both verbal and written) with employees:
 - unsubstantiated allegations stated as facts
 - personal attacks
 - threats
 - divulging personal/sensitive/confidential information, especially any medical information protected under the Health Insurance Portability and Accountability Act (HIPAA)
 - references to an individual’s protected class status; e.g., gender, race, age, disabling condition, religion, etc.
 - asking or demanding that an employee resign or retire
- When meeting with an employee to discuss performance and/or conduct issues that may result in disciplinary action and when meeting with employees to present disciplinary actions please ensure that a witness at the managerial level or a human resources/employee relations manager is present.
- While it is important to give an employee an opportunity to sign formal documents such as written warnings, termination notices, etc., please do not seek to compel an employee to do so. If an employee chooses not to sign an official document, print, “Declined to sign,” on the employee’s signature line. The manager and the witness should both sign and date the document to attest this statement. Give the employee an original with this notation and keep a second original for Emory’s files.