

Disciplinary Program

Role of Disciplinary Systems in the Workplace:

The disciplinary system does not exist primarily to punish employees. Its purpose should be to control the work environment so that workers are protected and accidents are prevented. A disciplinary system helps ensure workplace safety and health by letting Pagoda Electrical, Inc. employees know what is expected of them. It provides workers with opportunities to correct their behavior before an accident happens.

A disciplinary system is one of the keys to successfully implementing Pagoda Electrical, Inc. safety and health program. It ensures that Pagoda Electrical, Inc. rules and safe working practices are taken seriously by employees and are actually followed. It lets employees know how Pagoda Electrical, Inc. expects them to operate in relation to the goals of Pagoda Electrical, Inc. safety and health program. And it lays out the actions Pagoda Electrical, Inc. will take if individuals do not meet Pagoda Electrical, Inc. expectations. The Health and Safety Manager, foremen and all members of management are responsible for the enforcement of this disciplinary program.

A disciplinary system cannot work in a vacuum. Before Pagoda Electrical, Inc. can hold employees accountable for their actions, Pagoda Electrical, Inc. first needs to establish its safety and health policy and disciplinary rules.

Policy Statement:

Employees need to know Pagoda Electrical, Inc. position on safety and health and what Pagoda Electrical, Inc. expects of them. They need a clear understanding of the rules and the consequences of breaking those rules. This is true in all areas of work, but it is especially important for worker safety and health. As part of the policy statement, and in the employee safety handbook, Pagoda Electrical, Inc. has a written statement setting forth Pagoda Electrical, Inc. disciplinary policy. Company managers and foreman will always be on the lookout for safety violations and will conscientiously and vigorously enforce Pagoda Electrical, Inc. commitment to safety.



Employee Information and Training:

It is important that employees understand the system and have a reference to turn to if they have any questions. Therefore, in addition to issuing a written statement of Pagoda Electrical, Inc. disciplinary policy, Pagoda Electrical, Inc. has drawn up a list of what it considers major violations of Company policy and less serious violations. This list specifies the disciplinary actions that will be taken for first, second, or repeated offenses. Pagoda Electrical, Inc. will use the 5 Step Disciplinary System listed in Appendix B to correct minor, “General Offences” (that are listed on the next page).

What constitutes a Company safety violation? The below two sections list the most common Company violations. Some are related to safety, whereas others are related to Company policy. These sections are just a partial list...other violations may exist that are not yet listed and will be addressed as they occur. For any activity you question which is NOT on this list, please contact your management Safety representative for a decision.

The list for immediate termination and grounds for immediate discharge are:

- 1) Drinking alcohol, and/or drug abuse prior to or during working hours
- 2) Fighting, provoking or engaging in an act of violence against another person on Company property
- 3) Theft
- 4) Willful damage to property
- 5) Failure to wear Personal Protective Equipment (eye protection, hearing protection, safety helmets, etc.).
- 6) Abuse of selected Personal Protective Equipment.
- 7) Not using safety harnesses and lanyards when there is a potential for falling
- 8) Removing and/or making inoperative safety guards on tools and equipment
- 9) Tampering with machine safeguards or removing machine tags or locks
- 10) Removing barriers and/or guardrails and not replacing them
- 11) Failure to follow recognized industry practices
- 12) Failure to follow rules regarding the use of company equipment or materials



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- 13) Major traffic violations while using a company vehicle
- 14) Engaging in dangerous horseplay
- 15) Not following verbal or written safety procedures, guidelines, and rules
- 16) Failure to conduct required Physical Inspections by Company Officials
- 17) Failure to notify Pagoda Electrical, Inc. of a hazardous situation, and
- 18) Other major violations of company rules or policies

General Offences requiring a warning and can lead to termination:

- 1) Minor traffic violations while using Company vehicles
- 2) Creating unsafe or unsanitary conditions or poor housekeeping habits
- 3) Threatening an act of violence against another person while on company property
- 4) Misrepresentation of facts
- 5) Unauthorized use of Company property
- 6) Excessive tardies and late to work
- 7) Disrespect and/or insubordination to authority
- 8) Other violations of Company Policy and rules

Training:

Training can reduce the need for disciplinary action. Pagoda Electrical, Inc. shall instruct employees in the importance of workplace safety and health, the need to develop safety habits, Pagoda Electrical, Inc. operations, safe work practices, and the hazards they control, and the standards of behavior that Pagoda Electrical, Inc. expects. Pagoda Electrical, Inc. employees must understand the disciplinary system and the consequences of any deliberate, unacceptable behavior.

Physical Inspections:

Company officials will conduct physical inspections of all work areas to ensure compliance with Company safety policies. Anyone exhibiting a lack of commitment to Company safety goals will be subject to disciplinary actions. Company officials will be held accountable if they fail to, or neglect to, correct or address any hazardous situation or behavior or unsafe condition.

Supervision:

Supervision includes both training and corrective action. Ongoing monitoring of Pagoda Electrical, Inc. employees' work and safety habits gives Pagoda Electrical, Inc. supervisors the opportunity to correct any problems before serious situations



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develop. In most cases, effective supervision means correcting a problem before issuing any punishment.

Where the relationship between employees and their supervisors is open and interactive, problems are discussed and solutions are mutually agreed upon. This type of relationship fosters a work environment where the need for disciplinary action is reduced. When such action is needed, the parties are more likely to perceive it as corrective than punitive.

Employee Involvement:

Employees are encouraged to help informally in the enforcement of rules and practices. The intent here is not to turn employees into spies and informers, but to encourage them to

be their "brother's keeper" and to watch out for the safety and health of their colleagues. Many employers successfully have encouraged an atmosphere -- a company "culture" -- where employees readily speak up when they see an easily corrected problem, for example, a coworker who needs reminding to put on safety goggles.

Pagoda Electrical, Inc. employees deserve the opportunity to correct their own behavior problems. An effective disciplinary system is a two-way process. Once a problem is spotted, discuss it with the employee, who should be given at least one or two opportunities to change the behavior or correct the problem. Only after these discussions (and possibly some retraining) should disciplinary action be taken.

Appropriate Control Measures:

Disciplinary actions need to be proportionate to the seriousness of the offense and the frequency of its occurrence. It is certainly inappropriate to fire someone for occasional tardiness. It is equally inappropriate to issue only oral warnings to an employee who repeatedly removes a machine guard. Appendix B provides an example of disciplinary actions in a five-step disciplinary system.

Disciplinary procedures should not be instituted without explanation. Pagoda Electrical, Inc. will provide feedback to the employee on what behavior is unacceptable, why the corrective action is necessary, and how the employee can prevent future violations and disciplinary action. In addition, take time to recognize an employee who improves or corrects his/her behavior.

Consistent Enforcement:

Workers must realize that safe work practices are a requirement of employment and that unsafe practices will not be tolerated. It is necessary, therefore, that



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Pagoda Electrical, Inc. have a disciplinary system that is implemented fairly and consistently.

If Pagoda Electrical, Inc. disciplinary system is to work well and be accepted by Pagoda Electrical, Inc. workforce, the system applies equally to everyone. This includes subjecting managers and supervisors to similar rules and similar or even more stringent disciplinary procedures.

For minor violations, supervisors shall meet with the employee to discuss the infraction and inform the employee of the rule or procedure that was violated AND describe the corrective action needed to remedy the situation.

Documentation:

One key to ensuring fairness and consistency in a disciplinary system is keeping good records. It is in the best interest of both Pagoda Electrical, Inc. and the employee to have written rules and disciplinary procedures. It is just as important to document instances of good or poor safety and health behavior, including discussions with the employee, and to place relevant information in the employee's personnel file. The “**Safety Hazard Citation**” on the next page will be used to document infractions.

Documentation serves a variety of purposes. It helps Pagoda Electrical, Inc. to track the development of a problem, corrective actions, and the impact of measures taken. It provides information so Pagoda Electrical, Inc. can keep employees informed of problems that need correction.

When Pagoda Electrical, Inc. is evaluating the managerial and supervisory skills of a supervisor, it provides a useful record of how they handled problems.

If warnings, retraining, and other corrective actions fail to achieve the desired effect, and if Pagoda Electrical, Inc. decides to discharge an employee, then documentation becomes even more critical. Conversely, Pagoda Electrical, Inc. will conduct an annual clearing of the personnel files of employees whose good overall safety records are marred by minor warnings.

Minor safety violations will be documented and a copy of the below form will become part of the employee's personnel record:



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Safety Hazard Citation

Date:

Name of Violator:

Location of Violation:

Type of Violation:

_____ ,

_____ ,

_____ ,

Violator's Signature:

A Copy of this Citation will be placed in the employees Employment File

Three Citations can be grounds for termination

Positive Reinforcement:

Each supervisor should provide frequent reinforcement of work practices training. The informal observation described above serves not only to gauge training effectiveness, but also to reinforce the desired behavior. Some worksites also provide special recognition for the use of safe work practices. Some supervisors periodically hand out "Thank you for working safely" cards that can be redeemed for a free cup of coffee or soft drink. Other



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supervisors periodically observe individual workers at their tasks and give oral and/or written feedback on what was done safely.

OSHA recommends award systems that recognize positive activities rather than absence of injuries. Award programs with prizes for hours worked without injury can put heavy pressure on workers not to report injuries.

Reward System:

Rewarding safe behavior is at least as important as correcting and punishing unsafe actions. Positive feedback can be a powerful motivator. It is especially important to recognize self-initiated acts of safety or health protection, those times when employees, of their own accord, act to protect themselves or others.

A reward system can be very simple and inexpensive: letters or certificates of appreciation, a few hours of paid leave, a special and convenient parking space for a month in Pagoda Electrical, Inc. parking lot, a small pin or tie tack. Rewarding an employee for good safety and health behavior not only recognizes the employee, it also provides incentive to other workers. Public recognition is likely to be more important than monetary value when distributing one-time awards. Of course, taking safety and health performance into account when promoting employees or issuing bonuses is probably the most meaningful reward.

One type of reward program can backfire and should be avoided. Rewards based on the least number of accidents can do more harm than good. They tend to create pressure on employees to avoid reporting injuries and illnesses. For best results, Pagoda Electrical, Inc. shall emphasize the positive: reward Pagoda Electrical, Inc. employees' constructive safety and health efforts.



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APPENDIX A

Manager's Disciplinary System Worksheet

The nature and severity of disciplinary action should be appropriate for the seriousness and frequency of the violation. Below are a series of questions designed to help you develop a disciplinary system that best meets the needs of Pagoda Electrical, Inc. workplace. Managers already may have addressed the first two areas when developing safe work practices for various jobs. If management has not yet developed these practices, it makes sense to do so before developing a disciplinary system. Other workplace problems, such as attendance and attitude, are equally important but are not addressed here.

1. Operations.

What key operation(s) occur at Pagoda Electrical, Inc. workplace?

What equipment is used?

By whom?

What materials are used, and by whom?

Are there any hazards associated with the use of the equipment or the materials?

2. Practices and Procedures.

What are the key types of jobs at Pagoda Electrical, Inc. workplace?

What do most people do in the course of their work?

What is the most efficient way for them to perform their jobs?

What is the safest way for them to perform their jobs?

(Note: You will need to perform a job hazard analysis to properly answer this. For

information, see OSHA Publication 3071 (Revised 1992), "Job Hazard Analysis."

3. Problems.

What would happen if a job or procedures were not done safely?

Exactly what would happen if an employee performed in an unsafe or unhealthful

manner?

What would happen if all employees did the same thing?

How serious would the consequences be?

Would the unsafe action or behavior affect just one employee, or all employees?



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4. Correction.

For each type of safety and health violation you have identified, what kind of corrective

action seems appropriate?

What would you do for a second offense, or for repeated violations of the same rule? Should warnings be oral or written?

How long a suspension is warranted for what type of violation?

Are there any actions that should automatically result in termination?

For this last stage in developing Company disciplinary system, you may find it helpful to develop a grid, like the one on the next page, to identify corrective actions for different kinds of violations and repetitions.

APPENDIX B

In the example below, a few types of safety problems are listed on the left and their frequency across the top. Fill in each box with the type of corrective action that you consider appropriate. Examples include oral warning, written warning, re-instruction, suspension, and termination.

	First Offense	Second Offense	Repeated Violations
Unsafe Work Habits			
Refusal to Follow Safety Instructions			
Unsafe Actions that Jeopardize Self and Others			

Five-Step Discipline System

First violation: violation,	Instruction/discussion concerning proper procedures, and the hazards they control; notation for the supervisor's file.
Second violation: employee's	Re-instruction with notation in the personnel file.
Third violation: violation and	Written warning describing the actions that will be taken if it recurs.
Fourth violation: suspension.	Final warning; may include



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Fifth violation:

Discharge.

NOTE: The use of these corrective procedures obviously will vary with the nature of the problem and the frequency with which it occurs. Violations of company rules generally are considered more serious than other employee behavior problems, but all require correction. Keep in mind -- and tell Pagoda Electrical, Inc. employees -- that Pagoda Electrical, Inc. primary goal is to prevent accidents by controlling unsafe acts and conditions.

Note: You may want to consider adding this page to the Employee Handbook section of your Safety and Health Program Manual

It is Company philosophy that all employees be trained in proper safety procedures and employees are expected to follow and adhere to all aspects of Company Safety Program. The close observance of all Federal, local and client rules and regulations will be monitored at all times.

If there is an infraction of these rules and regulations – the following disciplinary action will be taken:

1) Minor Infraction

Definition: Any infraction of government, corporate or client rules that does not have the immediate potential of causing serious damage or injury.

- 1st offense – verbal warning from supervisor or management
- 2nd offense – written notice with notice placed on file
- 3rd offense – written notice + time off without pay
- 4th offense – termination of employment

2) Major Infraction

Definition: Any infraction of government, corporate or client rules that does have the potential to cause immediate serious damage or injury.

- 1st offense – time off without pay or termination
- 2nd offense – termination of employment

SIGNED: _____(EMPLOYEE)

SIGNED: _____(EMPLOYER)

DATE: _____