

Handling Employee Discipline and Termination

Presented by Cristina Alvarez & Blanca Wright



Legal Disclaimer:

“Though combined we have more than 30 years experience handling HR issues, we are not legal professionals, and all information provided today should be reviewed with your attorney before implementation”



Today's Topics:

Common issues with
employee conduct

Practical strategies for
effective disciplinary
actions

Best practices for
staying compliant with
labor laws

Maintaining fairness
and minimizing
conflicts

Handle tough
situations
professionally

Ensure a balanced and
respectful approach to
employee management

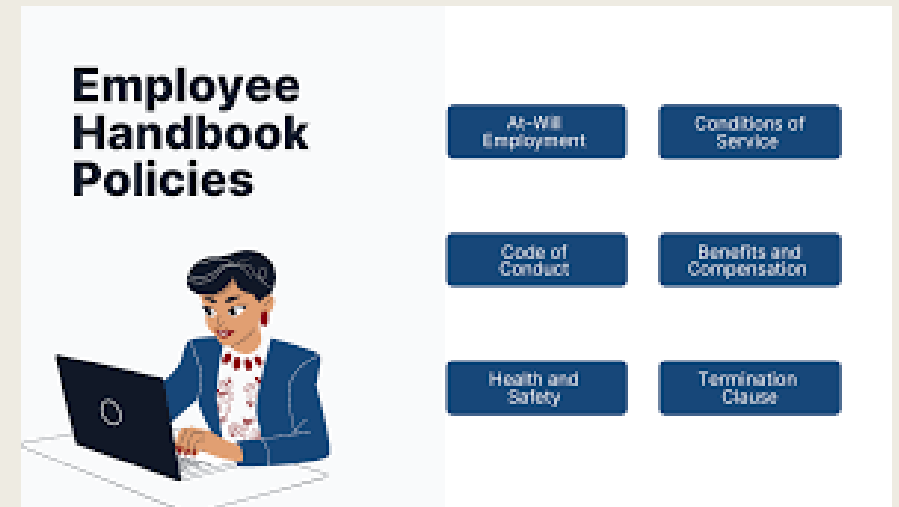
Common Issues With Employees Conduct

- Attendance and Punctuality
- Performance Issues
- Insubordination
- Dishonesty & Integrity Issues
- Harassment or Discrimination
- Misuse of Company Resources
- Health & Safety Violations
- Communication Issues
- Many many more!! (We've got stories)



Practical strategies for effective disciplinary actions

- **Establish Clear Expectations and Policies**
 - **Employee Handbook**
 - **Does your organization practice progressive discipline**
 - **Communicate At-Will employment (include in offer letter)**
- **Ensure Fairness and Consistency**
- **Address Issues Promptly**
- **Focus on Improvement, not just punishment**





Best practices for staying compliant with labor laws

- **Attend conference seminars to stay abreast of new laws and regulations**
- **Participate in HR Roundtables**
- **Attend networking events**
- **Subscribe to newsletters**
- **Purchase memberships, CFLCA, APMA, FELS, SHRM, Cal Chamber, HRCI, Western Growers, on and on**

Maintaining fairness and minimizing conflicts



Establish Clear Policies and Expectations



Promote Open and Transparent Communication



Apply Policies Consistently



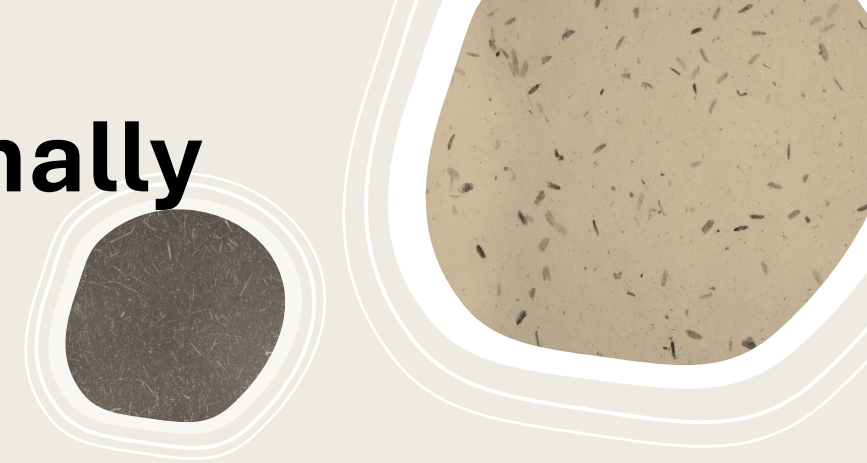
Emphasize Diversity, Equity, and Inclusion




Seek to Understand Before Acting in Conflicts


- **Encourage Collaboration and Teamwork**
- **Provide Conflict Resolution Training**
- **Be Transparent with Decision-Making**
- **Foster an Inclusive Feedback Culture (open door policy)**
- **Recognize and Reward Fairly**
- **Mean what you say, say what you mean**

Handle tough situations professionally




 Know your audience

 Remain calm

 Active listening

 Build rapport and trust

 Keep confidential matters
confidential

 Refer to handbook

- Focus on solutions
- Act swiftly
- Only involve necessary parties
- Don't take things personally
- Report facts
- Conduct impartial investigations
- Always have a witness present when handling terminations

Ensure a balanced and respectful approach to employee management

- Schedule regular meetings (quarterly, mid-year or as necessary)
- Provide constructive feedback and recognition
- Encourage open communication
- Provide regular training and development opportunities
- Apply policies equally to all employees
- Foster a culture of respect and inclusion
- Encourage collaboration and teamwork
- Support work-life balance
- Lead by example



Pitfalls to AVOID!!

Not following handbook

Poor documentation

Reactive instead of
proactive

Inadequate on-
boarding/off-boarding

Ignoring cultural
differences

Inconsistent Policy
Enforcement

Failure to consult with
your attorney to ensure
serious allegations are
handled properly

What would you do?

An employee who is related to a supervisor has now had 3 no-call/no-shows?

The supervisor knows about it and hasn't done anything to address it. You just fired another employee the week prior for the same behavior. How would you handle?

RESPONES:



WHAT DOES YOUR HANDBOOK POLICY ON NO-CALLS/NO-SHOWS?



FOLLOW YOUR HANDBOOK POLICY.



THE SUPERVISOR'S RELATIONSHIP SHOULD HAVE NOTHING TO DO WITH HOW YOU RESPOND TO THE SITUATION.
(THOUGH THAT CAN BE CHALLENGING)



RESPOND ACCORDINGLY AND DOCUMENT.



IF YOU FAIL TO RESPOND ACCORDINGLY THE PREVIOUSLY TERMINATED EMPLOYEE CAN FILE A COMPLAINT.

What would you do?

- An employee has just notified you that a fellow employee smells of alcohol. His words are slurred. What would you do?

Response

- Pull the employee aside
- Make an assessment
- Once assessment is confirmed: you can have employee call for a ride home or Uber them home. Best to have employee leave the premises when possible.
- Ensure employee has made it home safely.
- Review your handbook and take appropriate steps.



Thank You!!

Cristina Alvarez
cristina@agstaffllc.com

Blanca Wright
blanca@agstaffllc.com

AgStaff LLC
776 Technology Way
Napa, CA 94558
707.363.1631

