

Membership Matters

Quarterly News from The 501 Alliance

June 2010

Composing an Effective Written Warning

Warnings are an aspect of progressive discipline that effectively ensures an employee understands what is expected of him or her. Warnings or corrective actions help an employee understand that a performance problem or an opportunity for improvement exists. It also helps the employee to overcome those performance problems and satisfy job expectations.

State unemployment agencies look for warnings, in most instances, to determine if the claimant was discharged for misconduct—a deliberate or willful violation of company policies. Effective documentation is crucial, as many times the employer will have the burden of proof with the state agency. Proper documentation can make a difference in your bottom line. Many avoidable losses occur due to missing or incomplete documentation or a failure to prove misconduct. States consider it the employer's responsibility to ensure that all employees are aware of company rules, policies and procedures.

Elements of a Good Written Warning

1. *The Violation:* Provide a detailed synopsis of the event which occurred including all facts, dates/times and witnesses. Clearly state what the observed behavior was and why it was unacceptable. Clearly outline exactly what policy was violated.
2. *Expected Action or How to Improve:* State or reaffirm what the expected behavior or standard is and what changes are expected.
3. *The Consequences:* Inform the worker what the consequences will be if the standard is not consistently adhered to or met. For example, state "further violations will result in more severe discipline, which may include discharge." Include expected time period to rectify (e.g., 30 days to improve) and consequences and next steps should there be no improvement.
4. *Employee's Action Plan and Comments*
5. *Signature of Employee:* Ensure the employee acknowledges having received the warning (signs and dates).
6. *Signature of Witness:* Whenever possible, involve a witness so two people will be able to testify with firsthand knowledge regarding the counseling session should an unemployment hearing arise.
7. *Signature of Issuer*

A good written warning is clear and legible and does not use opinion or judgment words. Focus is placed on words which indicate violation of rules. Avoid using general statements, e.g., "poor performance," to describe willful or deliberate violations of rules within the employee's control. Remember, you know what happened but the state does not.

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Officers Re-elected

The current officers of The 501 Alliance were re-elected to serve one-year terms on the Board of Directors at the annual meeting in May. Please join me in congratulating the following individuals:

President:	Mr. Austin Robison Manager, Benefits McLaren Health Care Corporation
Vice President:	Mr. Mike Blau Attorney The Bernstein Law Firm
Treasurer:	Mr. Lary Wells Chief Operating Officer Michigan League for Human Services
Secretary:	Ms. Susan Dittrich, SPHR Vice President Administration Crossroads for Youth

For a list of all of the individuals on the Board of Directors, please visit our web site at 501alliance.org

And the Winner is...

From a field of 19 candidates, the winner of the Harry and Shirley Klein Legal Scholarship was announced at the annual meeting in May. Rachel Culley won the award and was presented with a check for \$1,000.

Ms. Culley is a student at the University of Michigan Law School and is a graduate of Harvard University. She has worked with a number of nonprofit organizations including; Greater Boston Legal Services, Whitman Walker Center Public Benefits Clinic and Child Witness to Violence Program.

The 501 Alliance and Human Service for Workers Compensation boards established this scholarship in honor of Harry Klein. Harry was a nonprofit advocate and was instrumental in establishing legislation for an unemployment compensation group-reimbursing plan.

This scholarship was funded by contributions from the two boards and is posted at various law schools in Michigan. Candidates submit essays indicating how their background and qualifications fit with what Harry Klein tried to do with his life. Members of the board, along with a family member and judges, form the selection committee.

Do you have a topic or suggestion for the next newsletter? Please e-mail your ideas to mpennanen@talx.com