



DISCIPLINARY PROCEDURES FOR THE CODE OF PROFESSIONAL CONDUCT FOR ICNCS FOR NEWBORN CARE INTERNATIONAL (NCI)

Purpose

The Newborn Care International (NCI) maintains a progressive discipline policy designed to provide a structured corrective action process and prevent a recurrence of undesirable behavior from students and staff. This policy has been designed in accordance with the organizational values of the NCI as well as federal employment laws of the United States.

The following steps outline the progressive discipline policy and procedure of the NCI. The NCI reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training, the staff member's work record, and the impact the conduct and performance issues have on the organization.

Step 1: Counseling and verbal warning

Step 1 creates an opportunity for the immediate supervisor to schedule a meeting with a staff member to bring attention to the existing performance, conduct or ethics issue. The supervisor should discuss with the staff member the nature of the problem or the violation of organizational policies and procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve performance or resolve the problem. Within five business days of this meeting, the supervisor will prepare written documentation of a Step 1 meeting. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

Step 2: Written warning

In the event a correction does not take place following the counseling and verbal warning, Step 2 provides a written warning and a more formal documentation of the performance, conduct or attendance issues as well as the consequences of failing to correct the problem.

During Step 2, the Director of Operations will review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans. The Director will outline the consequences for the evaluated individual the failure to meet performance or conduct expectations continues.

Step 3: Suspension and final written warning

There may be performance, conduct or safety incidents so problematic and harmful that the most effective action may be the temporary removal of an individual from the workplace or classroom. When immediate action is necessary to ensure the safety of the employee or others, the instructor or immediate supervisor may suspend the student or staff member at their discretion.

Suspensions that are recommended as part of the normal progression of this progressive discipline policy and procedure are subject to approval from the Board of Directors.

The NCI maintains the right to suspend or terminate any and all relationships with students if performance, conduct or ethics issues continue following the procedures outlined in Steps 1 and 2. In the event an issue of performance, conduct or ethics stems from the actions of a staff member, the individual may be suspended in a manner consistent with federal, state and local wage-and-hour employment laws. Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance so that the discipline is administered without jeopardizing the FLSA exemption status. Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee.

Step 4: Recommendation for termination of employment or student separation

The last and most serious step in the progressive discipline procedure is a recommendation to terminate employment. Generally, the NCI will try to exercise the progressive nature of this policy by first providing warnings, a final written warning or suspension from the workplace before proceeding to a recommendation to terminate employment. However, the NCI reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by the Board of Directors and the Founders.

Appeal Process

Students and staff have the opportunity to present information that may challenge information management has used to issue disciplinary action. This process is outlined in the Appeals Policy in Appendix XX of the NCI Standard Operating Procedures.

Performance and Conduct Issues Not Subject to Progressive Discipline

Behavior that is illegal is not subject to progressive discipline, and such behavior may be reported to local law enforcement authorities. Similarly, theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for immediate termination of employment or affiliation.