

25 NCAC 01O .0210 ADDRESSING UNSATISFACTORY JOB PERFORMANCE

(a) If at any time during the performance cycle an employee is not meeting expectations, the manager or supervisor shall conduct a documented coaching session to:

- (1) discuss ways to improve the employee's performance or behavior;
- (2) seek input from the employee about whether the performance issue can be corrected through a process change or if the employee needs to receive additional training on current procedures or processes;
- (3) outline the steps to be taken to improve performance, including the specific timeframe for improvement;
- (4) identify the consequences, including progressive disciplinary action, of failure to improve; and
- (5) define a follow up date.

(b) If employee performance or behavior improves to the "Meets Expectations" level during the specific timeframe and performance or behavior is maintained as determined by management, no further action is necessary.

(c) If employee performance or behavior does not improve to the "Meet Expectations" level during the specific timeframe, the manager or supervisor shall consult the agency Human Resources representative, prepare a Performance Improvement Plan (PIP), and conduct and document a formal counseling session to review the PIP with the employee.

(d) The PIP shall be considered equivalent to a disciplinary action as defined in 25 NCAC 01J .0604 and shall:

- (1) be in writing and state that it is a disciplinary action;
- (2) state the specific performance or behavior problem that is the reason for the disciplinary action;
- (3) state the specific steps to be taken to improve performance, including the specific timeframe for improvement;
- (4) state the consequences, including progressive disciplinary action, of failure to make the required improvements or corrections;
- (5) define a follow-up date or dates;
- (6) tell the employee of any appeal rights provided by State law; and
- (7) discuss the Employee Assistance Program (EAP) when appropriate.

(e) If employee performance or behavior improves to the "Meet Expectations" level after review of the PIP during the specific timeframe and performance or behavior is maintained as determined by agency management, no further action is necessary.

(f) If employee performance or behavior does not improve to the "Meets Expectations" level after review of the PIP during the specific timeframe or if the employee performance or behavior fails to be maintained at the "Meets Expectations" level, the manager or supervisor shall continue the formal progressive disciplinary action process as outlined in 25 NCAC 01J .0613 and contact the agency Human Resources representative.

(g) If an employee receives a performance-based disciplinary action during the performance cycle, corrects, and maintains performance at the "Meets Expectations" level, then the employee shall be considered to have met expectations for the performance expectation(s) associated with the disciplinary action.

(h) If an employee receives a performance-based disciplinary action during the performance cycle, corrects, and maintains performance at the "Meets Expectations" level, then the employee shall be considered to have met expectations for the goal or organizational value associated with the disciplinary action.

(i) If an employee receives a "Meets Expectations" for the goal or organizational value cited in the warning or other disciplinary action and a "Meets Expectations" in the overall performance evaluation rating, the performance-based disciplinary action shall become inactive.

(j) If the written warning is based on an employee's failure to complete tasks listed in the job description or is based on an employee's failure to respond to a direct order from the manager or supervisor, but these warnings are not linked to the goals or organizational values of the performance plan, then the written warning shall remain active.

(k) At the conclusion of the performance cycle, if an employee has not satisfied the terms of the PIP or has an active performance-based disciplinary action, the employee shall be considered not to have met expectations during the current cycle for the performance expectation(s) associated with the disciplinary action.

History Note: Authority G.S. 126-4;
Eff. April 1, 2016.