	<b>Human Resource Policy</b>	<b>No.</b>	<b>HR-408</b>	
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		<b>Effective Date:</b>	<b>09-27-11</b>	
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		<b>Previous Versions Dated:</b>	<b>06-15-04; 01-01-93</b>	

## **I. SCOPE:**

This policy applies to (1) Tenet Healthcare Corporation and its wholly-owned subsidiaries and affiliates (each, an “Affiliate”); (2) any other entity or organization in which Tenet Healthcare Corporation or an Affiliate owns a direct or indirect equity interest of greater than 50%; and (3) any hospital or healthcare facility in which Tenet Healthcare Corporation or an Affiliate either manages or controls the day-to-day operations of the facility (each, a “Tenet Facility”) (collectively, “Tenet”).

## **II. PURPOSE:**


The purpose of this policy is to provide Supervisors with general guidelines for the resolution of various types of employee performance problems such as unacceptable job performance (*e.g.*, attendance, performing below standards, misconduct, etc.).

## **III. POLICY:**

All Tenet employees are expected to meet expectations and standards including compliance with federal and state laws, regulations, or other binding legal obligations, and Tenet’s policies and procedures in the performance of all aspects of their job duties. If employee performance or conduct does not meet expectations and standards, the facility will use a positive performance management and progressive corrective action approach whenever possible to motivate employees to participate directly in the resolution of such situation. There may be circumstances in which the facility may choose not to follow all of the recommended steps. When circumstances warrant, facility management may decide, in its sole discretion, that some or all of the steps in the employee performance management process should not be followed and that immediate corrective action, including termination, is necessary based on the totality of circumstances.


This policy is not intended to and does not modify the existing relationship between Tenet and its employees and does not confer any additional rights or recourse to individual employees who may be subject to disciplinary action. Additionally, this policy is not intended to and does not modify the existing relationship between Tenet and its independent contractors.

This Employee Performance Management policy and procedure is intended to complement, and not conflict with or replace other Tenet policies and procedures.

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#### IV. PROCEDURE:

- A. The Employee Performance Management process may start with a verbal warning or conversation about needed improvement and is generally followed by a first written counseling, a second written counseling, a Decision Making leave and/or termination if performance remains unsatisfactory. Suspension pending investigation of all relevant issues may be a step recommended prior to termination of employee. The number of steps followed will be determined by the facility based on the seriousness of the problem and the employees' willingness/ability to improve performance. Human Resources should review any recommendations to terminate an employee.
- B. The Employee Performance Management form guides the supervisor in conducting and documenting the corrective action process.
- C. The employer statement defines the issue(s) and defines the expected change in behavior.
- D. The solution should have input from both employee and supervisor.
- E. A date for the next review of the employee's improvement should be set.
- F. On subsequent Employee Performance Management forms, any further corrective action should be noted as a consequence of failure to improve according to the action plan developed in previous counseling sessions.
- G. The Employee Performance Management form should be dated and signed by both the supervisor and employee. If the employee refuses to sign the form, a second person at the supervisory level shall witness that the employee refused to sign and was given a copy of the counseling form. The employee should be given the opportunity to note his or her perspective regardless of whether or not the employee signs the Employee Performance Management form.
- H. A copy should be given to the employee and a copy placed in the employee's Human Resources file.
- I. The employee should be allowed to add his or her comments to the counseling form for inclusion in the employee's Human Resources file, with a copy to the supervisor conducting the counseling.
- J. Every effort should be made to conduct the conferences in a confidential fashion, in a non-public location with no interruptions.

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- K. If the supervisor feels that the situation can be resolved through the use of a Decision Making Leave, he or she may discuss all the issues that remain unresolved and ask the employee to take a day with pay to decide whether to continue employment with the facility and immediately resolve all outstanding issues, or to resign from employment. As part of the Decision Making Leave, the employee will be asked to state in writing his or her decision. Should the employee choose to remain, he or she should be told that any further incidents of substandard performance will result in termination. Should the employee choose to resign, the resignation should be in writing.
- L. Facility Human Resources will provide assistance, guidance, and support to supervisors and employees in all aspects of the Performance Management process.
- M. For all terminations or resignations based upon compliance or compliance standards, the Hospital Compliance Officer will conduct an exit interview when possible.
- N. All employees whose responsibilities are affected by this policy are expected to be familiar with the basic procedures and responsibilities created by this policy. Failure to comply with this policy will be subject to appropriate performance management pursuant to all applicable policies and procedures, up to and including termination. Such performance management may also include modification of compensation, including any merit or discretionary compensation awards, as allowed by applicable law.