

Bogardus Medical Systems, Inc. POLICY & PROCEDURE MANUAL	DEPARTMENT: HUMAN RESOURCES	POLICY 7.8 PAGE: 1 of 2
	SUBJECT: EMPLOYEE COUNSELING and DOCUMENTATION	REVISED: 05/10/2006 REVIEWED: 04/09/2008 EFFECTIVE DATE: 8/18/03

I. Purpose:

To clarify the steps of progressive discipline in the Personal Behavior Policy.

II. Policy:

A. Written Warning: If the employee's action is included in Level One, they will receive a written warning.

1. The supervisor will counsel the employee regarding the action, describing the steps of progressive discipline.
2. To ensure that proper verbal notification has been given and received, the supervisor completes a Disciplinary Notice Form documenting the counseling session to be placed in the employee's file for reference, with copies distributed as noted on the form. The employee has the right to read the report, write any comments on it, and have a copy of it after signing the original.

B. Final Written Warning: If, within one year of the written warning, the employee again repeats the same action, or if the employee's action is included in Level Two, they may be given a Final Written Warning. The following steps are followed:

1. The supervisor counsels the employee in the presence of Human Resources. If the action occurs at the time when the supervisor is not present, or if investigation is required prior to a decision as to appropriate disciplinary action, Human Resources should be contacted and the employee is sent home with instructions as to when they must return for counseling with the supervisor and Human Resources. The employee must be advised as to what further disciplinary action will result if the action is repeated.
2. The supervisor then writes Disciplinary Notice to summarize the action taken and the counseling session, with copies distributed as noted. The employee is given the opportunity to read the report, to write any comments on it, and to receive a copy of it after signing the original.

C. Discharge: If, within one year of the Final Written Warning, the employee again repeats the action, or if the employee's action is included in Level Three, they may be terminated immediately. The following steps are to be followed:

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1. The supervisor will escort the employee to the Human Resource office where necessary counseling can be accomplished. Any necessary statements are prepared and signed at that time.
2. The employee will be discharged according to normal procedures, including checkout of keys, equipment, etc. Then employee is then required to leave the company grounds.
3. The supervisor then summarizes the discharge and the counseling session in a report to Human Resources, attaching any relevant statements by other involved management personnel. The report must include all relevant details such as previous disciplinary action for the same infraction, statements by witnesses, comments etc. Human Resources will also summarize their involvement in the counseling, investigation, and decision concerning the termination.

- D.** Employees must be paid for all time spent in counseling sessions, fact-finding interviews, etc.
- E.** Any employee who disagrees with a discipline notice should contact the Human Resources Department through normal procedures; by requesting that the supervisor arrange for Human Resources to meet with the employee.
- F.** An employee who accumulates a total of three disciplinary notices within a one-year period of time is subject to termination. All three reports do not necessarily need to be for the same or related offenses.
- G.** The disciplinary notice report becomes a permanent part of the employee's record and is never physically removed from the file.
- H.** Nothing in this policy alters the fact that all employees of Bogardus Medical Systems, Inc. are employed "at-will" for an indefinite period and such employment may be terminated with or without cause or reason at any time, with or without notice at the will of the employee or company. The company reserves the right to rescind, modify, or deviate from this or any other policy, practice, or guideline, as it coincides appropriate in its sole discretion, whether in individual or company wide situations, with or without notice.

III. Management Guidelines:

- A.** Although it is preferred that management follow the above guidelines, it is at the supervisor's discretion to determine if a certain situation or behavior justifies immediate dismissal. Human Resources must be contacted immediately if this occurs.