

Progressive Discipline Policy

Policy · US · Updated 2026-07-13 · Square brackets are placeholders to replace with your own details.

A progressive discipline policy describes the escalating steps an employer may use to address conduct or performance problems — typically coaching, verbal warning, written warning, final warning, and termination — while stating plainly that the steps are guidelines, not promises, and that employment remains at-will. It gives managers a consistent playbook without giving up the employer's flexibility.

Done well, progressive discipline is mostly a communication tool: most people fix a problem once it is named clearly with the consequence attached. Done badly — steps promised in writing and then skipped, or applied to some people and not others — the policy becomes evidence against the employer. The drafting in this template is deliberate on exactly those points.

This template gives you the standards, the steps and what each involves, the circumstances in which steps are skipped, the documentation habit that makes discipline defensible, and the at-will framing repeated everywhere it matters.

Purpose and at-will employment

This policy describes how [Your company] typically addresses conduct and performance problems. Its goal is fairness and clarity: people should know what is expected, hear about problems early, and get a genuine chance to fix them.

Employment at [Your company] is at-will: either the employee or the company may end the employment relationship at any time, with or without cause or notice. This policy is a set of guidelines, not a contract. It does not create a right to any particular step, sequence, or warning, and [Your company] may skip, repeat, combine, or omit steps at its discretion. No one other than [authorized officer] may alter the at-will relationship, and only in a written agreement signed by both parties.

Scope and standards

This policy applies to all employees. The standards it enforces live in the documents employees acknowledge at hire — [the employee handbook, the code of conduct, safety policies, and role-specific procedures] — plus the ordinary expectations of any job: show up, do the work, treat people decently, follow lawful instructions.

Discipline addresses two families of problems: conduct (behavior — attendance, policy violations, insubordination) and performance (results — quality, productivity, competence). Performance problems are usually better served first by [the performance improvement plan]; conduct problems usually come here. Managers choose the route deliberately with [HR / name/role] rather than drifting into warnings for coaching problems.

The steps

A typical sequence follows. It is a guide for managers, not a ladder employees are entitled to climb — [Your company] may start at any step, repeat a step, or move directly to termination, depending on the seriousness of the situation.

1. Coaching: an informal conversation naming the problem and the expectation, close in time to the events. Most issues end here; the manager notes the date and topic.
2. Verbal warning: a formal conversation, documented by the manager — the specific problem, the expectation, the timeframe, and what happens if it continues.
3. Written warning: a signed document recording the facts, prior discussions, the required change, and the consequence of recurrence — reviewed with [HR / name/role] before it is delivered.
4. Final written warning [and/or suspension]: the last step short of termination, stating explicitly that further issues may end employment. [Set suspension terms — paid or unpaid — against wage-and-hour rules for the employee's classification.]
5. Termination: decided by [name/role] with [HR] review, based on documented facts. The at-will statement in this policy applies at every point before, during, and after these steps.

When steps are skipped

Some conduct is serious enough that the first step is the last. The list below is illustrative, not exhaustive — [Your company] decides seriousness case by case:

- Theft, fraud, or falsification of records, including timekeeping records.
- Violence, threats, or intimidation.
- Harassment or discrimination, handled with [the anti-harassment policy].
- Safety violations that endanger the employee or others.
- Working under the influence of alcohol or drugs [per the substance policy].
- Serious breach of confidentiality or misuse of company systems or funds.
- In these cases [Your company] may suspend [with or without pay, per classification rules] while it investigates, and may terminate without prior warnings.

Documentation

Every step beyond coaching is documented at the time: the date, the specific facts (behaviors and events, not character judgments), what was expected, the timeframe, the employee's response, and the stated consequence. The employee receives a copy and is asked to sign as acknowledgment of receipt — not agreement. A refusal to sign is simply noted by a witness, and the employee may attach a written response to anything in their file.

Documentation is the difference between a decision you can explain and one you cannot. Write every warning as if a stranger will read it later — because if the decision ever matters, one will.

Fair and lawful application

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Like cases are treated alike: before issuing a written warning or termination, the manager and [HR] check how similar situations were handled — inconsistency is how lawful decisions become lawsuits.

- Discipline is never based on a protected characteristic, or on protected activity: raising safety concerns, discussing pay or working conditions with coworkers, filing complaints, or taking legally protected leave.
- Managers consult [HR / name/role] before any written warning, suspension, or termination — no same-day firings in anger.
- An employee who believes discipline was unfair or discriminatory can raise it through [the employee complaint policy] without retaliation.

Records and review

Discipline records are kept in the personnel file at [system/location], access-restricted to [roles], and retained for [period]. [Name/role] reviews discipline outcomes [frequency] for consistency across teams and managers — the pattern matters more than any single case.

This policy is reviewed [frequency, e.g. annually] and after any dispute that tests it. Owner: [name/role].
Next review due: [date].

How to use this template

1. Keep the at-will language intact when you edit — the sentences saying the steps are discretionary and no contract is created are the load-bearing walls of this document.
2. Have employees acknowledge the policy in writing at hire, and re-acknowledge when it changes materially.
3. Train managers on the two habits that decide outcomes: document at the time, and check consistency before acting.
4. Decide where performance problems go — this policy or [the performance improvement plan] — and make managers choose deliberately.
5. Check your state's rules — final-paycheck timing, suspension pay, and personnel-file access all vary by state and locality — and align the details before rollout.

Official guidance

- › [EEOC — Information for employers](#)
- › [EEOC — Retaliation](#)
- › [NLRB — Employee rights](#)

This template is provided in good faith and for general information — it is not legal advice. Adapt it to your organisation and, where your sector carries specific legal requirements, have the finished document reviewed by a qualified adviser. The live version at <https://trainedteam.com/templates/progressive-discipline-policy> is kept current; this file is a snapshot.