

Disciplinary Action for Unsafe Acts

There is probably not a more controversial subject than what to do when an employee safety violation occurs. This article does not discuss what is or is not proper discipline for a given person in a given unsafe act. Instead, it addresses another possible tool to be used in the never ending goal of creating the safest work environment possible.

The ways in which employers handle a worker who has had a safety incident covers a vast range of options from a slap on the wrist to termination of the worker. This was the subject of a conversation I had with the safety officer of one of my customers. He presented an interesting option for dealing with safety problems that had worked well for him in the past. This option involved requiring the unsafe worker to provide training for his fellow workers. As an example, a worker created a mockup of the incident on a piece of plywood to show exactly how the safety incident occurred. He then demonstrated to all of his fellow maintenance workers the proper way of handling the situation. In this case two days off without pay was turned into two days with pay to assemble the safety training presentation.

Typical Corporate Discipline Techniques

Let us look at what tools are commonly available for dealing with worker-caused safety violations. I reviewed quite a number of corporate policy manuals addressing safety violations of various degrees and associated disciplinary techniques. These disciplinary techniques are listed as follows:

- Oral reprimand
- Written reprimand
- Demotion (reduced pay)
- Suspension (without pay)
- Termination.

The following is an excerpt from an actual corporate policy manual:



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Any employee that violates safe work practices, safety rules, or mandated safety polices may be subject to disciplinary action up to and including discharge.

The appropriate disciplinary action will be determined by taking into account the gravity of the offense, the number of previous offenses, type of previous offenses, work history, and other pertinent factors.

Disciplinary actions may include one or more of the following, up to and including termination.

Oral Reprimand: a warning that safety practices are unacceptable with reasons, specific examples, and follow-up recognition for correction.

Written Reprimand: notification in writing of unsafe work behavior. This should be signed by the employee and placed in his or her personnel file.

Demotion — Employee is relieved of his or her current work position and placed under a subordinate with a proven safety record.

Suspension — An employee is removed from the job and payroll for a specific number of days.

Termination — Employee is terminated for proper cause.

Interestingly, this excerpt was similar to most policy manuals I reviewed. The disciplinary actions seem to fall into two areas: reprimand and pay reduction, with little middle ground. Oral and written reprimands typically are used to enlighten a worker that he has made a mistake and that he needs to be more aware of the safety issues at hand. This assumes that the worker has had the appropriate safety training.

From there most policies jump to demotion with reduced pay, suspension without pay, or termination. The employer still has to document that the affected worker has since received additional safety training on the associated safety subject.

Disciplinary Middle Ground

Between these two extremes exists the form of discipline my customer implemented. Of course, this type of discipline – that of the unsafe worker training other workers about his failure – is not something that would fit every application. It would probably only apply to a small portion of safety violations, but in those few applications it would be a nice option to have. It would reinforce the worker's safety methodology as well as help others see how such a situation occurred and could be prevented.

In conclusion, adding this option to a safety incident disciplinary action policy would create a positive safety tool for a supervisor/manager to use. 🌐

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