

TOWARDS EFFECTIVE EMPLOYEE DISCIPLINE ADMINISTRATION : SOME REFLECTIONS

by

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Abstract

This paper seeks to provide a comprehension of Employee Discipline Administration (EDA) which is a crucial aspect of human resource management in an industrializing country in the new millennium. Effective EDA has its unique significance for good labour relations and employee productivity. The paper has its main area of focus on three key dimensions of the EDA such as discipline policy, discipline procedure and discipline practice. A few suggestions are also given as an agenda of action for effective EDA.

Introduction

There can be no employee-less organizations even in a growing high-tech economy where growing electronic power is replacing the manpower. Generally, managerial employees and non-managerial employees characterize human resource in any organization whether it is private or public in any sector of the economy. Employees do play a significant role in maintaining and improving productivity of organizations. Human Resource Management (HRM) recognizes the need and importance of Employee Discipline Administration (EDA). It regulates employee behaviour to provide a planned and controlled performance towards enhancing the employee productivity. The main objective of the present paper as such is to provide a systematic understanding of effective EDA in a newly industrializing country in the dynamic situation of new millennium. Ostensibly, our approach is reflective and descriptive. In specific terms, the paper attempts to address the following interrelated questions :

1. What is EDA?
2. Why is it important?
3. What are the key dimensions and elements involved in EDA?
4. What actions are under each dimension to be followed towards effective EDA?

The Concept of EDA

Despite the growing interest in the subject of industrial discipline, the literature is still relatively scanty in dealing with the topic of EDA. As a logical starting point, it is worthwhile to look into some substance of the concept of discipline from the available literature. In this regard, our approach is selective rather than comprehensive. Wheeler (1976) defined discipline as an action taken by management against an individual or group who have failed to conform to the rules established by management within the organisation. Robbins (1982), on the other hand, stated that the term 'discipline' refers to a condition in the organisation when employees conduct themselves in accordance with the organisation's rules and standards of acceptable behaviour. Werther and Davis (1993) considered discipline as management action to encourage compliance with organisational standards.

The basic purpose of discipline is to encourage employees to behave sensibly at work, where "sensible behaviour" is defined as adhering to rules and regulations (Dessler, 1984, p.589). Of course, discipline is meant to ensure that employees conform to the behavioural and performance standards determined by management as being necessary for the achievement of organisational objectives (Salamon, 1987).

Discipline essentially means orderly behaviour of employees towards the desired objectives of the organisation. Discipline involves controlling work and behaviour of employees in compliance with all the relevant rules and regulations in order to achieve organisation goals and objectives. In this paper, however, the concept of employee discipline administration is viewed as the development, implementation and on-going maintenance of a fair and constructive discipline system containing discipline policy, procedure and practice for managing behaviour and work of employees.

Importance of EDA

Properly administered discipline is like a two edged-sword which corrects as well as punishes; this helps to develop self-control among employees (Bittel and Newstrom, 1990). Effective EDA is needed to regulate employee behaviour to provide a controlled performance in order to achieve objectives and goals of the organisation. When employees are disciplined the possibility of utilizing human resources effectively and efficiently is high. Disciplinary actions need

to be enforced in the organization against the rule violators. Those who violate the rules will have to be taken disciplinary actions by the organization. Aminuddin (1990, p.86) rightly stresses :

"It is essential that disciplinary action be carried out in a proper manner, otherwise industrial relations problems may follow. Ignorance of acceptable methods of disciplining employees may lead an employer into a trade dispute and hence a case in the Industrial Court."

He, however, suggests that disciplinary action should be taken in a proper way so as to avoid problems between labour and management. Proper disciplining serves as prevention against trade disputes. There are no small issues in employee discipline (Fenley, 1986). Employee discipline is the edifice of labour relations. In the area of modern HRM, effective EDA is regarded as a positive device for creating and maintaining good labour-management relations. Disciplinary problems and appeals/grievances usually consume a lot of precious management time, efforts and expenses including opportunity cost. The severe the disciplinary problems to be dealt with, the greater the costs involved. Proactive management anticipates disciplinary problems, develops a fair and constructive disciplinary system and fosters self-discipline within employees. All this contribute favourably to better productivity.

Mathis and Jackson (2000) argued that discipline can be positively related to performance, which surprises those who feel that discipline can only harm behaviour. Further, employees may resist unjustified discipline from a manager, but actions taken to maintain legitimate standards actually may reinforce productive group norms and result in increased performance and feelings of fairness. EDA that aims at attacking the employee's wrongful behaviour, not attacking him/her personally attempts to improve performance of the employee.

In this paper EDA is conceptualised as a system that has basically three dimensions such as discipline policy, discipline procedure and discipline practice. Based on general definitions given by Salamon (1987), discipline policy entails the discipline objectives and the strategy for their achievement; discipline procedure is related to the operational mechanism which deals and regulates the manner in which a specified discipline issue is to be handled; while discipline practice implies as a set of decisions/actions which are made in response to a discipline problem/situation.

Discipline Policy

Robbins (1982) prescribed three policy guidelines for administering discipline :

1. Make discipline action corrective rather than punitive
2. Make disciplinary action progressive
3. Follow the "Hot Stove Rule"

According to Sokolik (1970) disciplinary action refers to the corrective action which is taken when the organizational discipline is found to have been significantly breached by one or more employees. The objective of disciplinary action is not to deal out punishment and the objective is to correct an employee's undesirable behaviour (Robbins, 1982, p.398). Werther et al (1985) identified three objectives of making a disciplinary action. These are : (1) to reform the offender, (2) to deter others from similar actions, and (3) to make discipline effective. A disciplinary action should have positive purposes and educational motivation. It is meant to condemn the wrongful behaviour rather than the person who has done wrong. Of course, the emphasis should be on behaviour or performance not personality or attitude.

Progressive discipline is an integral part of the disciplinary policy. Although the type of disciplinary action that is appropriate may vary depending on the situation, it is generally desirable for discipline to be progressive (Robbins, 1982). Progressive discipline involves disciplinary actions starting with an oral warning and proceeding through a written warning, suspension, and demotion and only in the most serious cases, dismissal. Werther and Davis (1993) mentioned that a policy of progressive discipline means that there are stronger penalties for repeated offences. Also they mention that the purpose is to give an employee an opportunity to take corrective action before more serious penalties are applied. Progressive discipline is not required for the most serious rule violations. An employee who violates a most serious rule involving a greater loss to the organisation and/or other employees for the first time will need to be penalised seriously (even dismissal) without progressive discipline.

Dessler (1984, p.590) stressed that a system of progressive penalties is a prerequisite to effective discipline. The severity of the penalty is usually a function of the type of the offence and its frequency (the number of times the offence has occurred). It seems, on practical ground, a progressive policy cannot be applied for a very serious misconduct such as attacking a superior harshly. Except very serious offences, which directly lead to termination of the employment, the progressive discipline can be applied for other offences.

Administering discipline can be viewed as analogous to touching a hot stove (Robbins, 1982, p.398). The hot-stove rule states that disciplinary action should have the same characteristics as the penalty a person receives from touching a hot stove and these characteristics are warning, immediacy, consistence and impersonality. The hot stove gives a warning that "do not touch" and "if

touched, the person who touched will get burnt". Similarly the discipline gives a warning that "do not violate any rule. If violated, the person who violated will be punished". Touching the hot stove has immediate effect. The burning sensation is instant. Similarly, punishing a person who has violated a certain rule should be immediate (without delay). In other words, there should not be a considerable time delay between the act of violating the rule and the act of punishing. Effective discipline is immediate and the longer the time that transpires between the offense and the disciplinary action, the less effective the discipline will be (Mathis and Jackson, 2000). The degree of burning is equaled to the degree of touching the hot stove. Likewise, the degree of punishing should be equaled to the degree of violating. The greater the degree of violation the more severe the punishment. The burning power of the hot stove does not care for the classification, status, gender, etc. It is impersonal. Similarly, whoever violates a rule he or she should be punished. In the HRM system, this hot stove rule gives four principles for policy of discipline. These are :

1. Warning - the possibility of punishing.
2. Disciplinary action is to be taken without delay.
3. The degree of disciplinary action should be equaled to the degree of the offence.
4. Whoever violates the rule she or he should be disciplined.

Based on the above, there are three elements of the dimension of discipline policy, i.e., objectives, progressive discipline and Hot Stove Rule.

Discipline Procedure

One of the attributes of a good discipline procedure is formality, i.e., the procedure should be written. A benefit of formality is often felt to be that informality makes it difficult to ensure that rights and responsibilities are clear and known to all (Edwards, 1989). The importance of the presence of written procedure is emphasised for any organisation. The formality of the procedure provides a framework that avoids the risk of inconsistent ad hoc decisions and the employee knows at the outset how the matter is likely to be handled. (Torrington, 1998).

Another attribute is a set of clear rules and regulations. Rules and regulations refer to official instructions in respect of what employees must and are allowed to do and what they are not allowed to do. In an organisation, rules and regulations serve about the same purpose that laws do in society and disciplinary action is called for when one of them is violated (Desler, 1984). According to the Advisory, Conciliation and Arbitration Service (ACAS), UK, an independent statutory body under the Employment Protection Act 1975 with the general duty of promoting the improvement of industrial

relations, disciplinary rules and procedures are necessary for promoting fairness and order in the treatment of individuals and in the conduct of industrial relations and also for assisting an organisation to operate effectively. The set of clear rules and regulations is a pre-condition to effective disciplining.

"These rules address things like theft, destruction of company property, drinking on the job, and insubordination. The purpose of these rules is to inform employees ahead of time as to what is and is not acceptable behaviour". Says Dessler (1984, p. 590)

Other important elements of discipline procedure include the sanctions/ disciplinary actions, appropriate level of management, appeals and union or other employee representation (See, Salamon, 1987).

It is advisable for the procedure to specify offences and the degree of their breach, divided between gross, serious and minor offences. The sanctions usually include verbal warnings, written warnings, suspension, transfer or demotion, fines and deductions from pay and dismissal. Generally these sanctions should be fair and clearly specified for what violations they are imposed. The specific levels of management, which have the authority to make disciplinary decisions, should be clearly specified in the procedure. To quote Salamon (1987, p.528) :

"Provision must be made for them to be able to appeal against any disciplinary action : either via the normal grievance procedure or through a special disciplinary appeal mechanism. The procedure should specify a period of time within which it must be heard. The appeal should be heard by a level of management not involved in, and more senior to, the initial disciplinary action".

Provision of appeal shows the readiness of the management of the organization to deal with discipline in fair manner. Pettinger (1999) stresses that appeal should always be allowed. From the above mentioned discussion, the following elements can be identified relating to the discipline procedure :

- * Formality
- * Disciplinary rules and regulations
- * Sanctions
- * Level of management to take such actions
- * Appeal
- * Union participation

Discipline Practice

Employees should always be told, preferably in writing, what is not permitted (Dessler, 1984). Information about the rules needs to be thoroughly and imaginatively conveyed to those affected (Torrington, 1998). Thus, communicating all the relevant rules and regulations to all relevant workers is a good practice. This communication can be done during the employee's orientation or training or special workshops. Indeed,

"Training is a means of making the rules coherent and reinforcing their understanding. The background can be described and the reason for the rule explained, perhaps with examples, so that employees not only know the rules but also understand why they should be obeyed". Says Torrington (1998, p.502).

Under preventive discipline employees should be encouraged to follow standards and rules so that infractions are prevented (Werther and Davis, 1994). Management should effectively communicate rules and regulations to employees and inspire them for the compliance. Also, it is important to mention the rationale or reason(s) behind every rule so that employees understand the importance of the rule. Knowing the importance of the rule, the employee will tend voluntarily to adhere to the rule.

A periodical review of rules is desirable to ensure that they are up-to-date and to ensure that their observance remains a live issue (Torrington, 1998). Torrington suggested that it could be appropriate to have a rules review every twelve months between management and employee representatives. Discussions of rules and regulations will not only sustain the general level of awareness of what they are but will help the participants to clarify the reasons behind the rules and regulations. Moreover, employees give better support to rules when they are involved in setting rules and regulations (Werther and Davis 1994). It follows that holding a periodic review of rules and regulations between workers' representatives and management is a good practice in discipline administration.

A disciplinary inquiry has to be conducted by the management in order to ascertain whether a particular employee has violated a certain rule or not. These inquiries are generally termed as domestic disciplinary investigations. Two principles of Natural Justice (Armstrong, 1998) suggest that employees who have been wrong should be given a clear indication of where they are at fault or what rules they have broken and they should be given a chance to explain or defend themselves. Dessler (1984, p.591) stressed the following two practices in respect of domestic investigations :

- * Management must adequately investigate the matter before administering discipline. Further, the investigation must be fair and objective.
- * The investigation should produce substantial evidence of misconduct.

Any disciplinary investigation should follow the basic principles of Natural Justice. To Armstrong (1995), there are three basic principles of natural justice that should govern the way in which potential disciplinary problems are handled :

- * Individuals should know the standards of performance they are expected to achieve and the rules and regulations to which they are expected to conform.
- * They should be given a clear indication of where they are failing or the rules are being broken.
- * Except in cases of gross misconduct, they should be given an opportunity to improve before disciplinary action is imposed.

Another good practice of discipline administration is to record and monitor the progress of disciplinary problems. This practice will show whether disciplinary problems have been reduced and help management to make necessary changes for the improvement of policy, procedure and practice of discipline.

Training of supervisors and other managers is an important practice to be followed for effective discipline. Training supervisors and managers on when and how discipline should be applied is crucial (Mathis and Jackson, 2000). Cole (1997) found that subordinates and others perceive discipline done by trained supervisors as more fair than discipline done by untrained supervisors.

In short, there are six indicators or elements being considered under the dimension of discipline practice. These are :

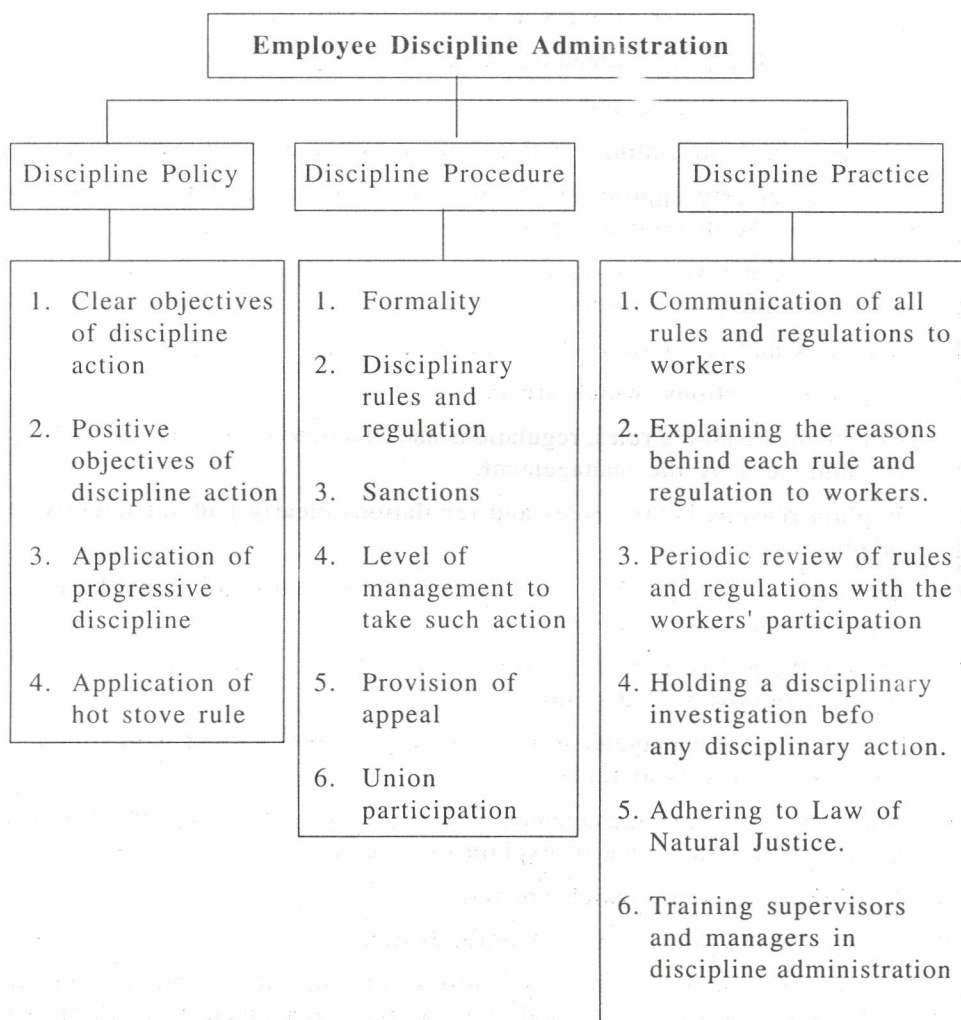
1. Communication of all rules and regulations to employees
2. Explaining the reasons behind each rule and regulation to employees
3. Periodic review of rules and regulations with the employees' participation
4. Holding a disciplinary investigation before any disciplinary action.
5. Adhering to Law of Natural Justice
6. Training supervisors and managers in discipline administration.

Agenda for Action : 20-Point Programme

Figure 1 indicates the dimensions and elements of employee discipline administration. For an effective EDA system, we suggest a blue-print as under. Essentially, as an agenda for action a 20-Point-Programme is envisaged, thus :

Figure 1

Dimensions and Elements of Employee Disciplinary Administration



1. Explain clearly objectives of taking a disciplinary action in a policy statement.
2. Establish objectives of a disciplinary action such as reforming the offender, deterring others from similar actions and making discipline effective.
3. Apply a progressive policy (there are stronger penalties for repeated offences - when an offence is repeated the severity of the disciplinary action (increases) for non-serious and moderate offences.
4. State clearly as a policy that severity of a disciplinary action is equal to the gravity of the offence and discipline does not discriminate any person i.e., whoever violates a rule he/she will be disciplined.
5. Formalise discipline procedure unambiguously.
6. Lay down clear rules and regulations.
7. Specify clearly disciplinary actions/sanctions in the disciplinary procedure.
8. Indicates clearly appropriate level of management to take disciplinary actions in the disciplinary procedure.
9. Allow the employees to appeal against a disciplinary action imposed in the disciplinary procedure.
10. Set rules and regulations those are fair.
11. Prescribe sanctions, which are fair.
12. Communicate all the rules, regulations and sanctions clearly and adequately to employees by the management.
13. Explain reasons behind rules and regulations clearly and sufficiently to employees.
14. Carry out regular periodic reviews about rules and regulations between management and the union.
15. Follow the practice of conducting adequately disciplinary investigations before administering discipline.
16. Ensure that the management has a practice of giving clear indications of where employee is at fault.
17. Make sure that the management has a practice of giving an adequate chance to the employee to explain or defend.
18. Hold investigations, which are fair.
19. Adhere to the principles of Natural Justice.
20. Create and maintain a good culture of consistent and reasonable enforcement of rules and regulations by the management through proper training of supervisors and managers in discipline administration.

Concluding Comment

Effective Discipline Administration is one of the major issues that organisations in a newly industrialising country have to face in the new millennium. EDA develops, implements and maintains continually a fair and constructive disciplinary system in order to achieve organisational goals. Effective EDA saves time, efforts and expenses substantially by avoiding or at least reducing the number of disciplinary problems, appeals, grievances and conflict. Key dimensions of EDA include discipline policy, discipline procedure and discipline practice. There are several courses of actions to be followed by any organisation in relation to the three dimensions for effective EDA.

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