

Navigating Disciplinary Conversations



Step	Purpose	Questions to Use	Productive Paraphrases	What to Avoid
Purpose & Process	Lower anxiety by naming why the meeting is happening and how it will proceed.	“I want to talk through a specific concern. Before we begin, do you understand the purpose of this meeting?” “I’ll share the concern, review the facts, hear your perspective, and then explain next steps. Does that make sense?”	“I want to be clear about the purpose of this conversation.” “This is a structured conversation about a work concern.” “You will have an opportunity to respond before I explain the next steps.”	Launching into accusations. Vague openings like “You know why you’re here.” Overexplaining before the issue is named.
Observable Behavior	Keep the conversation anchored in facts rather than emotion, intent, or character.	“Here is the conduct I need to address...” “On this date, what happened from your perspective?” “Help me understand the sequence of events.”	“What I am addressing is the behavior, not assumptions about motive.” “The concern is that on March 10, you left your assignment from 8:15 to 8:40 without notifying your supervisor.” “I want to stay with the facts first.”	“You were careless.” “You clearly did not care.” “ This is typical of you.” Any mind-reading or moral language.
Impact & Expectations	Connect the conduct to operations, safety, trust, policy, or supervision expectations.	“Do you understand the impact this had on the site?” “What is your understanding of the expectation in this situation?” “What (if anything) might you do differently?”	“When coverage is interrupted, student safety and operations are affected.” “The expectation is that you notify your supervisor immediately if you cannot remain at your post.” “This standard exists to protect students, staff, and the employee.”	Making the issue personal. Inflated statements. Threat-heavy language before expectations are clear.
Invite Response, Not Debate	Allow the employee to provide context while preserving leadership structure and boundaries.	“Is there anything you want me to understand about what occurred?” “Is there context I should know before I determine next steps?” “Were there obstacles that affected your decision-making?”	“I hear you saying...” “So your understanding is...” “You’re saying the issue began when...” “Let me make sure I have your explanation accurately.” “I understand that from your perspective...”	Arguing point by point. Letting the meeting become a debate over every detail. Cutting the employee off too early. Treating explanation as an automatic excuse.
Next Steps & Consequences	Replace ambiguity with clarity about what happens next.	“Do you understand the expectation going forward?” “What support do you need to meet this expectation?” “Do you have any questions about the next steps I’ve outlined?”	“Going forward, the expectation is...” “This conversation will be documented.” “If this occurs again, further discipline may follow.” “We will follow up on ____ date.”	Ending vaguely. Leaving consequences implied. Using surprise language or emotional warnings.

Important California Human Resources Laws



Law / Topic	What It Requires	Authority
FEHA: Discrimination, Harassment, Retaliation	California employers may not discriminate, harass, or retaliate against employees on protected bases. FEHA’s core employment protections generally apply to employers with 5 or more employees, while harassment protections are broader.	Gov. Code § 12940
FEHA: Reasonable Accommodation / Interactive Process	Once the employer knows of a disability, medical condition, or limitation, it must engage in a timely, good-faith interactive process and consider reasonable accommodation unless doing so would create undue hardship.	Gov. Code § 12940
CFRA	Eligible employees of employers with 5 or more employees may take up to 12 weeks of job-protected leave for their own serious health condition, certain family members’ serious health conditions, or bonding with a new child. Eligibility generally requires 12 months of service and 1,250 hours worked in the prior 12 months.	Gov. Code § 12945.2
Reproductive Loss Leave	Covered employers must allow eligible employees up to 5 days per reproductive loss event, up to 20 days in a 12-month period.	Gov. Code § 12945.6
Harassment-Prevention Training	Employers with 5 or more employees must provide 2 hours of training to supervisors and 1 hour to nonsupervisory employees every 2 years, with training deadlines for new hires and new supervisors.	Gov. Code § 12950.1
Whistleblower Protection	Employers may not stop employees from reporting reasonably believed violations to government agencies or to internal officials who can investigate or correct the issue, and may not retaliate for those disclosures or refusals to participate in unlawful conduct.	Lab. Code § 1102.5
Personnel Files	Derogatory information cannot be placed in a school employee’s personnel file unless the employee is given notice and an opportunity to review and comment, and the employee’s comments must be attached.	Ed. Code § 44031
Classified Probation / Permanent Status	In non-merit districts, classified employees become permanent after a probationary period that may not exceed 6 months or 130 days of paid service, whichever is longer. Permanent employees then receive cause-based discipline rights.	Ed. Code § 45113
Classified Layoff For Lack Of Work Or Funds	In school districts, the superintendent or designee must provide recommended notice no later than March 15, and final notice that services will not be required for the ensuing year follows the statutory process.	Ed. Code § 45117