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WORKPLACE PUNISHMENT GUIDELINES FOR THE 21ST CENTURY

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ABSTRACT

Although it is generally accepted that supervisors and should avoid punishment for its supposed negative side effects, this paper illustrates that conventional wisdom with respect to discipline is wrong and that truth is not always politically correct or as reassuring as one would like. Given that punishment can be helpful in numerous workplace contexts, a set of guidelines contributing to more effective application of negative sanctions for business is provided.

INTRODUCTION

The use of punishment (also referred to here as discipline, negative sanctions, and aversive control) by managers and supervisors in organizations is a common occurrence and involves the presentation of some unpleasant event or removal of a positive event following an undesirable behavior by an employee which decreases the frequency of the worker's response (Kazadin, 1975). Sims (1980) suggested that "managers eventually do use aversive behavior [punishment] even though they may be reluctant to admit it" (p. 57). This is due to the non-humanitarian aspects invoked by the thought of punishment as a motivator (Nehrbass, 1979) and the beliefs of human relations and human resources approaches to management which assume, either implicitly or explicitly, a human potential or growth-oriented perspective that runs counter to punishment and discipline approaches which implies coercion and restraint, not growth (Miles, 1975). Miner and Brewer (1976) found that 83 percent of the companies they surveyed used punishment or threats of punishment to deal with employee problems. Nevertheless, it remains an important aspect of almost all supervisors' jobs (Butterfield, Trevino, Wade, & Ball, 2005). Moreover, Podsakoff (1982) reviewed the evidence and concluded that high performing leaders typically used both positive and negative sanctions while Arvey, Davis, and Nelson (1984) argued that effective management requires supervisors to exhibit both reward and disciplinary behavior towards employees.

GUIDELINES FOR INCREASING PUNISHMENT EFFECTIVENESS

Given that aversive control is appropriate under certain circumstances, how can it be administered more effectively? This section provides a number of guidelines to enhance punishment's usefulness in the 21st century. These aversive control guidelines are appropriate only after a supervisor has determined—perhaps through a process similar to Mager and Pipe's (1984) analyzing performance problems—that an employee does not have a skill or ability
deficiency (perhaps because of a lack of training), or that there are obstacles beyond the employee's control, such as inadequate equipment or disruptive colleagues. The point is that if the cause of an employee's problem is outside his or her control, then punishment is not proper. If an employee can perform but does not, then punishment may be called for and the following guidelines then come into play. Table 1 summarizes these guidelines.

**Table 1. Punishment Guidelines for the 21st Century**

1) Tie punishment directly as possible to the particular misconduct.
2) Provide employee alternative, appropriate behaviors.
3) Time punishment so that it is not too soon or not too late.
4) Maintain privacy of punishment (generally).
5) Ensure fairness and justness of punishment.
   a. Distributive justice
   b. Procedural justice
   c. Interpersonal justice
   d. Informational justice
6) Maintain appropriate documentation of the punishment.

**Tie Punishment Directly as Possible to the Particular Misconduct**

This guideline involves the issue of contingency which refers to the principle that in order for punishment to be effective it must be associated with or linked to a particular inappropriate behavior (Arvey & Jones, 1985). Podsakoff, Todor, Grover, and Huber (1984) found that appropriate contingent punishment did not adversely influence satisfaction with supervisors while Atwater, Camobreco, Dionne, Avolio, and Lau (1997) found that contingent punishment was related to charisma. Only when noncontingent punishment (i.e., arbitrarily or without reference to the follower's performance) was used did satisfaction with the supervisor suffer. This is consistent with Atwater, Dionne, Camobreco, Avolio, and Lau (1998) who found that contingent punishment positively impacted leader effectiveness while noncontingent punishment negatively impacted leader success. Making punishment contingent on specific follower behaviors and informing followers of this contingency can be a valuable tool for managers in aligning worker behavior with organizations' purposes. Employees generally recognize that it is useful to have information on what leaders' desire and what they do not want.

**Provide Employee Alternative, Appropriate Behaviors**

Studies from the educational arena (e.g., Educational Services Center, 1998; *What Teachers Need to Know about Learning*, n.d.) overwhelmingly advocate providing students with alternative, constructive behaviors to replace specific maladaptive behavior. Application of such a behavioral guideline is also proper within an organizational behavior context; i.e., a manager's criticism of an employee should be followed by teaching a new alternative behavior to replace the specific inappropriate behavior. Hellriegel and Sloucum (2007) note that punishment trains a person in what not to do, not in what to do. Therefore, an effective supervisor must clearly specify what the employee should do to avoid punishment in the future and offer an alternative behavior. When punishment to eliminate inappropriate behavior is used in conjunction with positive reinforcement to teach alternative behaviors, emotional side effects such as fear and dislike of supervisors, and attempts to escape or avoid work are less likely to occur.
Time Punishment So As Not To Be Too Soon Or Not Too Late

Timeliness is also important for punishment because it increases the connection between the punishment and the misconduct. Punishment tends to work immediately and so if a behavior needs to stop without delay, as in matters of ethical and safety violations, then punishment can be an effective strategy. Nevertheless, it may be best to not take punitive action without review since there can be many extenuating circumstances associated with inappropriate behavior. Atwater, Waldman, Carey, and Cartier (2001) found that both managers and recipients recognized that managers often make mistakes in the employee correction process because they were often “out of control” (p. 267). Thus, it may be desirable to delay punishment if a manager’s emotional state would likely lead to an unduly harsh interaction with a worker—but not too much of a postponement. This is because many managers who wait too long to deliver negative feedback often let it fester and then blow-up at the target employee thus creating an even more problematic situation (Larson, 1986). The feedback they supply is likely to be ineffective and may exact serious costs for organizational commitment and job motivation.

Maintain Privacy Of Punishment (Generally)

Researchers suggest that punishment should be carried out in private whenever possible (Arvey & Jones, 1985). Evidence has suggested that punishment tends to create less defensiveness and to be more instructive to subordinates when carried out in private (Sims, 1980). In addition, private punishment may be considered more benevolent since employees are not humiliated in front of co-workers (Butterfield et al., 2005). Still, supervisors must be concerned with group performance and so punishment may provide an opportunity for the work leader to deter others from engaging in future instances of the offense by showing what can happen when undesirable behavior is exhibited (Carlsmit, Darley, & Robinson, 2002). Most importantly, leaders must recognize that public punishment does not mean public humiliation. Degrading or belittling followers in the presence of others is likely to create animosity toward the manager and promote a culture of fear. Instead, punishment should focus on the unwanted behavior (i.e., Sims, 1979) and not the person who exhibited it. When done correctly, and in moderation, punishment administered in front of others can be an effective and efficient teaching tool for leaders to employ (Podsakoff, Podsakoff, & Kuskova, 2010). Indeed, many managers view punishment as an opportunity to promote vicarious learning in the workgroup (Snake, 1986). Trevino and Ball (1992) also noted that for punishment to have social meaning, the discipline needs to be made known to observers in some way. They found that observers’ justice perceptions and emotional reactions were most positive when they knew misconduct had been punished. Accordingly, some consideration should be given to publicly disciplining wrong doers so that other potential offenders learn by example and discover the consequences of misbehavior.

Public admonishments, however, are distasteful to many and Trevino and Ball (1992) offer a compromise position with respect to privacy: an organization might publicize information about offenses and managerial responses without identifying the offender or the specifics of the incident. Such a practice is successfully used at the U.S. Military Academy at West Point.

Ensure Fairness and Justness of Punishment

Employee discipline is one of the most litigated issues in the workplace (Zwerin, 2005). One means of preventing legal challenges while ensuring the effectiveness of disciplinary actions is to ensure fairness of the punishment process. If observers view punishment as fair, rarely do
they have negative attitudes concerning the event. Employees tend to assess fairness in terms of justice from several perspectives: distributive, procedural, interpersonal, and informational (George & Jones, 2008). Thus, leaders who want to increase the (perceived) fairness of punishment behaviors so as to increase their effectiveness must address these factors.

**Distributive justice.** A distributive justice approach suggests that the sanction(s) imposed (e.g., temporary suspension, fine) should involve a consistent, fair, and appropriately severe outcome (Butterfield et al., 2005); i.e., for a given incident of misconduct, a subordinate is expected to receive punishment similar to and appropriately severe compared to what others have received in similar situations. There is a long-time workplace principle that states, “It is better to not have a rule than to have a rule which is enforced unfairly” (Cronin, 2006).

Determining severity of punishment involves a number of considerations. One concern involves what has taken place before with other similar misconduct and whether the intended negative sanction is consistent with previous management action. Other factors involve the two broad justifications for the use of punishment (Carlsmith et al., 2002): the severity of punishment should be consistent with what has been done historically, and whether the discipline is perceived as deserving and acts as an appropriate deterrent to future misconduct. Weiss (1997) states that disciplining employees inconsistently is among the most serious human resource situations affecting workplace ethics and Bielous (1998) identified the inconsistent bending of rules for particular individuals as one of the five worst organizational disciplinary mistakes.

Another consideration involves mitigating circumstances. These are conditions that represent a broad set of concerns that include: the severity of the incident, the intent of the protagonist, the employee’s responsibility for any harm done, participation of other employees, and any supervisory involvement or neglect. Additionally, the employee’s work record, length of service, discipline history, and potential for rehabilitation need to be considered when deciding on a fitting level of punishment (Koven & Smith, 1985).

**Procedural justice.** Individuals are not only concerned with the outcomes they receive but also with the fairness of the process used in determining the punishment rendered. Workers are likely to accept unfavorable outcomes as fair if they perceive the procedure to be reasonable (Cropanzano, Byrne, Bobocel, & Rupp, 2001). This suggests that the process of determining if punishment is necessary may be as important to employees as the punishment itself.

In determining procedural justice, a number of questions may be addressed including:
1. Was there forewarning? Before employees can be properly disciplined they must be told what constitutes misconduct. Then, each employee (and subsequent new hires) should sign a document acknowledging receipt and understanding of the policy.
2. Is the regulation or policy reasonable? The rules leading to worker punishment must be reasonable. Reasonable rules are those that promote the efficient, orderly, and safe conduct of business or that define behaviors that employers can realistically expect.
3. Was there a full investigation and was it objective? Before making a decision regarding discipline the organization should investigate the apparent rule violation. The just cause standard requires full and fair investigations before discipline can be imposed. A preliminary conversation with the accused employee is advisable. Shapiro and Brett (2005) suggest that the ability to express one’s view, often referred to as “voice,” plays an important role in how individuals judge the fairness of procedures.
4. Was there sufficient indication of guilt? The investigation must yield enough evidence to warrant the conclusion that the employee was guilty of the infraction. Was there reasonable evidence to implicate the worker?

**Interpersonal justice.** A third form of organizational justice is concerned with the perceived fairness of the interpersonal treatment (also known as interactional justice) workers receive from their managers (Colquitt, 2001). It is important for supervisors to be courteous and polite and to treat employees with dignity and respect to promote interpersonal justice.

**Informational justice.** This aspect of organizational justice captures employee perceptions of the extent to which managers explain to employees their decisions and the procedures used to arrive at them. When manager’s explanations of their disciplinary decisions are thorough, and when subordinates perceive these explanations as well-reasoned, perceptions of informational justice are likely to be high (Colquitt & Shaw, 2005).

An employee who is punished for no discernible reason may believe the punishment to be unjustified and that the negative sanction was random or a personal reaction by the supervisor rather than a consequence for unwanted behavior. When perceived as unfair, employees may retaliate in order to counter the apparent injustice and to restore some semblance of equity. However, it is not only the rationale that is important; it is also how the feedback is presented.

Providing negative feedback to others about their past performance is a task few enjoy (Larson, 1986) and is thus seldom given. As Schein (1989, p. 67) noted, “... The only reliable way to improve performance is to give performance feedback” and negative feedback is often necessary (Ilgen, Mitchell, & Fredrickson, 1981). Importantly, however, Baron (1988) found that it was generally not the delivery of negative feedback, per se, that produced such unconstructive outcomes as increased levels of conflict, resentment, and aggression; rather, it was the manner in which such information was conveyed that seemed to play a crucial role. Baron (1988) found that performance discussions about poor performance using constructive criticism (feedback that is specific, considerate, and contains no threats or suggestions that an individual’s poor performance is due to negative internal attributions such as the person being stupid or lazy) did not lead to such negative effects. Clearly, managers should engage in constructive suggestions with their disciplined subordinates regarding how they might improve their performance in the future. Individuals are generally more likely to perceive their workplace as fair and are less likely to exhibit retaliatory response to negative outcomes (e.g., lawsuits) when these outcomes are accompanied by explanations from organizational representatives.

**Maintain Appropriate Documentation Of The Punishment**

No discussion of discipline can end without addressing documentation. The world is becoming increasingly litigious and one of the most essential guidelines for handling any and all disciplinary action is documentation. The goal of documentation is to clearly memorialize the firm’s efforts to address problematic behavior. When followed regularly, accurate and contemporaneous documentation will add authenticity and credibility to the events leading to the supervisory action and will help the firm prevail against claims of wrongful discharge, breach of contract, and discrimination. Furthermore, documentation will make it difficult to doubt the motives of the manager.
Maintaining a journal with dated notes of any and all conferences that take place in the manager's office should become routine, and in a litigated matter, could prove invaluable. Retrieval of those notes when needed will provide detailed and recorded observations that memory cannot provide. While showing fairness and equity, documentation reflects sound and rational judgment on the part of management. If there are no documents, the employee is much more likely to win should there be a court case (e.g., Lloyd v. Georgia Gulf Corp., 1992). Punishment administered and then overturned by a court, mediator, arbitrator, or an organization's human resources department reduces its effectiveness over the long run.

CONCLUSION

Management training and education generally takes a proscribed view of punishment, emphasizing alternatives to punishment (Casey, 1997). Likewise, more academically-oriented management and business texts appear to stress positive emotions and positive managerial behavior and seldom address punishment (e.g., Daft, 2003), indirectly suggesting that discipline is not an essential part of the managerial role. For example, a cursory review of a current popular organizational behavior textbook by Ivancevich, Konopaske, and Matteson (2005) revealed that the authors dedicated five pages to punishment-related topics and seventy-seven pages to reward-related subject matter. Moreover, in many textbooks, the discussion of punishment has focused primarily on the presumed negative side effects such as anger, resentment, avoidance, and retaliation (e.g., Luthans, 1995) which has led many readers to conclude that punishment should be avoided. Thus, managers and supervisors learn little about applying punishment properly even though it is an important aspect of virtually all managerial jobs and is a common occurrence.

Many instances of life's unpleasantness teach us what to do by means of punishment and aversiveness. Falling off a bike, drinking too much alcohol, or going out in the rain without an umbrella all lead to punishing consequences (getting bruised, suffering a hangover, and getting wet), and we often learn to change our behavior accordingly. Furthermore, certain types of undesirable behavior may have far-reaching negative effects if they go unpunished. For instance, an employee who sexually harasses a coworker, a clerk who steals money from the petty cash account, and an executive who engages in illegal stock transactions all deserve punishment.

Even though many organization experts question the value of aversive control and believe that managers use it inappropriately, discipline does have a place in managerial behavior. The process of punishing wrongdoing, though, need not be callous, unduly harsh, or sadistic. The focus must remain on changing behavior to improve performance. The purpose of this article was intended to promote skilled and constructive use of discipline when it is warranted by offering several guidelines to enhance its effectiveness. The recommendations on the productive use of aversive control suggested in this paper, however, should not be interpreted as implying that managers should blissfully punish every undesired behavior. If supervisors find they are using punishment more often than positive reinforcement, then they are doing something wrong.

REFERENCES


Lloyd v. Georgia Gulf Corp., 961 F.2d 1190 (5th Cir. 1992).


