

LAST CHANCE AGREEMENT
(Performance)

TO: Employee

FROM: _____

DATE: _____

SUBJECT: FINAL WARNING

During the course of your employment with _____ you have been repeatedly counseled, both orally and in writing, about work performance problems, including tardiness, unexcused absences, not satisfactorily performing your work duties, and general disruptive behavior.

[Example: History of warnings and discipline preceding final warning: Specifically, you received a written warning for an unexcused absence on _____. At that time you were advised that "All future absences (other than illness) must be submitted in writing to your supervisor for approval and signature by them. * * *" Less than one month later, you received a second written warning for not showing up for work on _____. Another written warning was issued on _____ due to your unexcused absence on _____. You have also been counseled about incidences of coming to work late or leaving early and generally not following Company policy regarding excused absences.

In addition, there has been on-going counseling regarding your failure to satisfactorily perform or timely complete your job duties. These include, for example, late delivery of news letters to residents--(give other examples, e.g. violation of the Company's smoking policy, not responding to your beeper, and your negative and disruptive effect on other employees.)

Because of these on-going performance problems, which have not been corrected despite repeated counseling, we have no choice but to give you this final warning that your continued employment with _____ is contingent upon immediate and substantial improvements in your work performance. Failure to meet any of the following job requirements will result in the termination of your employment:

1. Show up to work on time and comply with the Company's attendance and absenteeism policies.
2. Fully and timely complete all of the duties of your position and assigned tasks.
3. Comply with all other standards and conditions stated in your job description and _____ handbook.
4. Display a more positive and cooperative attitude towards your co-workers and management.

At the conclusion of sixty (60) days, your performance will be reviewed to determine compliance with the foregoing requirements. Failure to comply with these requirements prior to the conclusion of sixty (60) days, however, may result in your termination before expiration of the 60 days. Further, these requirements are continuing and you will be expected to comply with them throughout the course of your employment with _____.

I RECOGNIZE THAT MY JOB PERFORMANCE AND FAILURE TO ADEQUATELY RESPOND TO PREVIOUS COUNSELING HAS PROVIDED REASON TO TERMINATE MY EMPLOYMENT. I UNDERSTAND THAT MY CONTINUED EMPLOYMENT IS CONTINGENT UPON MY ACCEPTANCE OF THIS FINAL WARNING AND SATISFACTORILY COMPLYING WITH THE FOREGOING REQUIREMENTS. I FURTHER ACKNOWLEDGE THAT MY EMPLOYMENT WITH _____ IS AT-WILL AND THAT NOTHING IN THIS FINAL WARNING OR _____ POLICIES ALTERS THE RIGHT OF _____ TO TERMINATE MY EMPLOYMENT AT ANY TIME AND FOR ANY REASON, OR MY RIGHT TO LEAVE EMPLOYMENT WITH _____ AT ANY TIME AND FOR ANY REASON.

Date

[Employee]

Witness

