

Performance Management Decision Guide

James Reason's Decision Tree for Determining the Culpability of Unsafe Acts

START →

Deliberate Act Test

Did the individual intend the act?

YES

Did the individual act with malicious intent?

YES

Malevolent or Willful Misconduct

ACTIONS TO CONSIDER
Consult HR
Report to:
Professional group
Regulatory agency or
Law enforcement

Incapacity Test

Is there suspicion of ill health, a medical condition, or substance abuse?

YES

If ill health or medical condition: Was the individual aware of the ill health or medical condition?

NO

Suspected Medical Condition and/or Substance Abuse

ACTIONS TO CONSIDER
Consult HR
Fitness for duty referral
Reasonable accommodation
Leave of absence
If substance abuse, testing

Compliance Test

Did the individual depart from policy, procedure, protocol or generally accepted performance expectations?

YES

Were P&P's, protocols or performance expectations available, understandable, workable, and in routine use?

YES

Is there evidence that the individual chose to take an unacceptable risk OR has a trend in poor performance or decision-making?

YES

Were there significant mitigating circumstances that justify the act in this case?

NO

Possible reckless or Negligent Behavior

ACTIONS TO CONSIDER
Consult HR
Job fit consideration

Substitution Test

Would individuals in the same profession and with comparable knowledge, skills, and experience act the same under similar circumstances?

YES

Were there any deficiencies in related training, experience, or supervision?

YES

Possible System Induced Error

Console, Counsel & Coach the Individual AND Find and Fix Process

Possible Unintended Human Error

ACTIONS TO CONSIDER
Consult HR
Console/Counsel/Coach
Mentor assignment
Increased supervision
Performance improvement plan
Adjust duties