

		<b>POLICY AND PROCEDURE MANUAL</b>	
<b>Category:</b> Human Resources	<b>Number:</b> HUM.05	<b>PROGRESSIVE DISCIPLINE</b>	
<b>Type:</b>	<b>Authority:</b>	<b>Approved By:</b>	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input type="checkbox"/> Council <input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Council <input checked="" type="checkbox"/> Chief Administrative Officer <input type="checkbox"/> Department Head	
<b>Office of Primary Responsibility:</b> Human Resources			
<b>Date Adopted:</b> November 27, 2017	<b>Council Resolution No:</b> N/A	<b>Date to be Reviewed:</b> November 27, 2018	
<b>Manner Issued:</b> Email, Pipeline (Intranet), employee training, new employee orientation			

## **BACKGROUND:**

### **What Is Progressive Discipline?**

Progressive discipline is a formal approach to coaching and correcting unwanted behaviours. Progressive discipline was never designed to be a punishment but rather a formal approach to coaching and correcting unwanted behaviours. The true goal of progressive discipline is to work with employees in order to assist them in correcting behaviours, attitudes, or actions that could have harmful results to their employment.

This process is to be applied consistently and fairly throughout the District. The focus of the procedure is to help employees achieve acceptable conduct through a series of progressive discipline levels. The District recognizes the need to effectively, fairly and consistently manage all aspects of employee performance in order to sustain employee contribution and enthusiasm.

### **Intent**

Progressive discipline was designed for both the employer and the employees. If handled properly, the employer can be assured that they are providing guidance and clear expectations to their employees. The employees can feel protected because if they make minor mistakes, their employer will provide them with the opportunity to correct the behaviour and give them the opportunity to improve rather than arbitrarily terminate their employment.

## **PURPOSE:**

The District of Mission recognizes that the acceptable conduct of employees is necessary for the orderly operation of the municipality and for the benefit and protection of the rights and safety of all employees. Disciplinary procedures exist to promote understanding of what is considered unacceptable conduct and to encourage consistent action in the event of misconduct.

The objective of progressive discipline is to identify and clearly explain unsatisfactory or

unacceptable performance or conduct to an employee, with the expectation that the employee will immediately take the necessary corrective actions to improve their performance and/or conduct to an acceptable level.

The District of Mission has adopted a policy of progressive discipline to ensure that employees have the opportunity to correct any performance or behavioural problems that may arise. The District has established a set of reasonable standards for employees to follow. These standards have not been put in place to restrict the freedoms of our employees, but rather they are in consideration of their safety, and the overall protection of District employees, property, and the District's business practices.

The purpose of this document is to assist supervisors and managers to reasonably and fairly assess violations of rules, regulations, policies, notices or standards; and determine if discipline is warranted by providing a guideline to ensure consistent application of discipline across the organization.

## **POLICY:**

### **1. DEFINITIONS**

**"Administration"** means the Corporate Administration Department, which is responsible for ensuring that the policies, programs and other directions of Council are implemented.

**"Administrative Policy"** means Policy statements that guide the operational and/or internal work processes of administration, including management of human resources.

**"Administrative Procedure"** means the tasks or steps required to follow or implement Council Policy or Administrative Policy, including the assignment of roles and responsibilities, and the detailed steps that outline a particular way of accomplishing something or of acting.

**"Bargaining Unit"** means CUPE/IAFF.

**"Chief Administrative Officer:"** means the individual appointed by Council to the position of Chief Administrative Officer (or his/her designate) as the head of Administration.

**"Council"** means the duly elected officials of the District, those being the Mayor and Councillors.

**"Culpable Behaviour"** means behaviour where employees are responsible and deserving of blame. That is, employees know or should know what is required, are capable of doing what is required, but choose to act in a manner other than is required.

**“Department Head(s)”** means those District employees that are charged with overseeing a particular operational or departmental area and/or their designate(s).

**“District”** means the District of Mission.

**“Employee(s)”** means persons working for the District in an employment relationship regardless of whether they are employed on a full-time, part-time, temporary, or permanent basis, who are exempt or part of the CUPE or IAFF bargaining units.

**“Human Resources”** means any of the employees working in Human Resources.

**“Incompetence”** means actions where the employee lacks the necessary skills and abilities to successfully perform the job duties.

**“Manager(s)”** means those exempt District employees that are charged with overseeing a particular operational or departmental area and/or their designate(s).

**“Misconduct”** means actions where the employee is fully aware that they are neglecting their duties or the requirements of the organization but does so anyway. Misconduct typically relates to attitude or behavioural issues that can range from minor to severe.

**“Organization”** means the District of Mission.

**“Person”** includes any individual, whether or not they are a workplace party. This means that a ‘person’ could be a workplace party such as an employer, supervisor, or co-worker, or a non-workplace party such as a member of the public, a client/customer, or anyone a worker comes into contact with at the workplace.

**“Policy”** means general statements or guidelines that are high-level in nature, as opposed to being operationally oriented, which direct a plan, course of action or decision, according to a standard or performance outcome.

**“Supervisor(s)”** means employees appointed to a supervisory position represented by a union.

**“Workplace”** means any location at which the business of the District is conducted including buildings, grounds, vehicles, equipment and work related travel, telephone conversations and email. As an example, an off-site social event organized by the District for employees on off-duty time is still considered the “Workplace” for the purposes of this Policy.

## 2. GUIDELINES

### a) Progressive Discipline Process

In the event that an employee of the District violates District policy or exhibits problematic behaviour, a system of progressive discipline shall be utilized.

Progressive discipline can be issued to address a number of misconduct or behavioural issues, including but not limited to the following examples:

- Attendance (arriving late, leaving early, or missing days without authorization, or failure to notify of an absence);
- Conduct (rude jokes or unprofessional attire or comments);
- Health and Safety (not complying with the standards, unsafe practices, or not using appropriate personal protective equipment);
- Failure to follow "Departmental Rules or Policies" (not wearing safety equipment, not following correct cash handling procedures);
- Performance Concerns (not meeting standards, missing deadlines, or not participating in group projects);
- Dishonesty; or
- Theft

Employees will be given four (4) opportunities to correct the unwanted behaviour, unless the behaviour or concern is one of a severe nature, in which case, progressive discipline can be accelerated to match the violation.

Typically, progressive discipline will progress through the following five (5) steps:

1. **Coaching** (informal): this should happen with the employee's manager or immediate supervisor; it is **not** disciplinary and is meant to provide guidance.
2. **Verbal Warning** (formal): this should only happen after the employee's manager or immediate supervisor has attempted to coach the employee for improvement; a record of the verbal warning should be written and filed in the employee's personnel file.
3. **Written Reprimand** (formal): this should be for a related offence and have both coaching and verbal warnings attached to it, unless the offence is serious in nature and by itself warrants the written reprimand.
4. **Final Written Reprimand and possible Suspension** (formal): this should be related to previous discipline and stern in nature; the employee should clearly understand that this is the final reprimand, and that the next step will be termination of employment; offences that are more serious in nature may by themselves warrant this step.
5. **Termination** (just cause): the employer should review the previous discipline to ensure that just cause termination is appropriate, based on the employee's actions.

With each violation or apparent problem, the employee will be provided with a written document to: (1) alert them to the problem, provide a reiteration of the correct District standard regarding the violation, (2) advise them of the consequences associated with further infractions, and (3) provide a suggestion towards a method of improvement.

All formal warnings and reprimands will be kept on file for a period of eighteen (18) months. If no further discipline happens within the time period, the warning or reprimand will become inactive. If further offences relating to the issue have taken place, the warning or reprimand will be attached to the next set of progressive disciplinary actions.

Degrees of discipline shall be used in relation to the problem at hand. As the situation dictates, based on the past performance of the employee, and the seriousness of the violation, the District reserves the right to skip the five (5) step disciplinary process and move straight to the appropriate level of discipline, including termination, where necessary.

**b) Union Supervisors' Responsibility**

Union Supervisors:

- Assess the performance of employees to ensure conformance with the philosophy and standards of the District;
- Clearly inform an employee in a timely manner when they are failing to meet the District's standards and advise of the corrective actions necessary to correct the unacceptable behaviour and bring the employee into compliance;
- Monitor the employee to ensure corrective action is taken; in the event corrective action is not taken, ensures the employee clearly understands the problem and the requirement to correct the non-complying behaviour or more serious disciplinary action may result;
- Provide verbal confirmation to their manager that the employee has been advised. Union supervisors provide guidance and coaching but do not administer discipline;

In the case of further non-compliance, consultation will occur between the Union Supervisor, Manager (or designate) and the Manager of Human Resources (or designate).

**c) Managers' Responsibility**

Managers:

- Investigate allegations of misconduct.
- Administer discipline to achieve corrected behavior.

**d) Minor to Severe Issues**

The District is committed to maintaining a safe and productive workplace. Behaviour that is incompatible with that goal will be dealt with in a firm, fair and effective manner. Offences and unacceptable actions can be minor to severe, so progressive discipline should fit the offence.

### e) Work Violation and Suggested Responses

The following table outlines suggested progressive discipline for common workplace issues; however, consideration will be given to the nature of incidents, factual details, the frequency of offences and the employee's overall work record prior to issuing any progressive discipline.

Key: Formal Disciplinary Actions:

- V: Verbal warning;
- W: Written reprimand;
- S: Final written reprimand and possible suspension;
- T: Termination of employment

Description	Violation			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>Attendance Violations</b>				
Not following attendance procedure	V	W	S	T
Unscheduled and/or unauthorized absences	V	W	S	T
Unapproved late arrivals or early exits	V	W	S	T
Unapproved extended breaks or meal times	V	W	S	T
Absences that exhibit a pattern or trend	V	W	S	T
Three (3) or more consecutive days of no call, no show at work	T			
<b>Conduct Violations</b>				
Failure to follow organizational or departmental dress code policies, including wearing identification	V	W	S	T
Using another person's computer login, passwords or access codes without proper authorization	S	T		
Giving out your password, access codes and logins for the intention of allowing another person to gain access	W	S	T	
Unauthorized and improper use of District property	W	S	T	

Description	Violation			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Using District time for personal gains including visiting social networking sites and conduct personal business during work hours	V	W	S	T
Making unauthorized long distance calls from work phones	W	S	T	
Using District vendors and purchasing agreements for unauthorized personal gain	S	T		
Smoking on work premises and in District-owned vehicles	V	W	S	T
Compromising the privacy and confidentiality of another or of District information, including medical related documents	S	T		
Being unfit to perform job requirements, including sleeping on the job, working under the influence of illegal drugs and alcohol, or working while impaired by prescription medication	W	S	T	
Insubordination, including refusing to accept instructions from supervisors or other proper authorities	V	W	S	T
Confirmed breaches of District Policy HUM. 02 Standards of Conduct for Employees	W	S	T	
Confirmed breaches of District Policy HUM. 03 Respectful Workplace	W	S	T	
Use of profane or abusive language on District premises or when acting on the organizations behalf	V	W	S	T
Actions that are considered to be disrespectful, malicious, harmful or damaging to others including rumours and gossip	W	S	T	
Failure to appropriately interact with anyone on District premises, including visitors, customers, or other employees	V	W	S	T
Threats, fighting or other aggressive actions against another person while on District premises or while acting on behalf of	S	T		

Description	Violation			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
the organization				
Crimes against the organization, including theft, willful damage of company property, possession of illegal drugs/weapons/explosives	T			
Any activity which violates federal or provincial standards regulating the provision of professional services or violation of regulations that affect licensing, commissioning or certification	T			
Failure to follow organizational or departmental policies, practices and procedures	V	W	S	T
Breaches of confidentiality that violate privacy or that put the District in a liable position	S	T		
Dishonesty	T			
Theft	T			
<b>Health &amp; Safety Violations</b>				
Failure to follow organizational policies, practices and procedures (including the Safety Management System (SMS) program) that relate to the health & safety of the organization and its employees	V	W	S	T
Failure to wear the required personal protective equipment	V	W	S	T
Failure to immediately report an accident on work premises or of District responsibility	W	S	T	
Using District machinery or equipment without proper training or certification	W	S	T	
Behaviour which could comprise the safety of yourself or others	S	T		



Description	Violation			
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
<b>Performance Violations</b>				
Not meeting job requirements/standards	V	W	S	T
Not meeting developed goals	V	W	S	T

This chart is meant to provide examples of unacceptable offences and the resulting discipline. Additional acts of misconduct may warrant further disciplinary action. Depending on the severity of action, the Employer reserves the right to advance the progressive discipline to a higher level that fits the violation.

**f) Investigation and Documentation**

All violations or alleged violations will be properly investigated and documented by a manager, and/or Human Resources. All formal measures that have been taken within the progressive discipline process will be documented and kept in the employee's personnel file for a period of eighteen (18) months.

During an investigation an employee may be reassigned to a different work location and/or different work schedule pending the results of the investigation.

**g) Suspension and Review Period**

During the final written reprimand, an employee may be suspended and/or put on review.

- Suspension: Employees put on suspension will be excluded without pay from the workplace for a period of one to five (1-5) days depending on the violation.
- Review: Employees may be put on a review period following the final written reprimand.

**h) Termination of Employment**

The final stage of progressive discipline is termination of employment. Termination of employment with the District may occur following an employee committing multiple violations of District policy, after the logical steps for progressive disciplinary action have been taken, or immediately following a severe violation.

**i) Administration**

If you have any questions or concerns about this policy or its related procedures please contact your immediate supervisor, your manager, or Human Resources.

**Acknowledgment and Agreement**

I, \_\_\_\_\_, acknowledge that I have read and understand the Progressive Discipline Policy of the District of Mission. Further, I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules/procedures outlined in this policy, I may face disciplinary action, up to and including termination of employment.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

**RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:**

- *Human Rights Code [RSBC 1996] CHAPTER 210*
- *Workers Compensation Act, Sections 115, 116, 117*
- *HEA.26 Use of Electronic Communication Devices*
- *HEA.16 Occupational Health and Safety Program*
- *HUM.02 Standards of Conduct for Employees (pending)*
- *HUM.03 Respectful Workplace Policy*
- *HUM.04 Computer and Technology Acceptable Use*

**\*\*\* END OF POLICY \*\*\***

**RECORD OF AMENDMENTS/REVIEW**

<u>Policy #</u>	<u>Date Adopted</u>	<u>Date Reviewed</u>	<u>Amended (Y/N)</u>	<u>Date Reissued</u>	<u>Authority (Resolution #)</u>
PER. 06	Repealed				
PER.07	Repealed				