

Rural Municipality of Lake Lenore No. 399

Progressive Discipline Policy, v. 1

Adopted by Resolution of Council on March 17, 2021

Amendments:

POLICY

1. It is the right of the Employer to suspend, discharge, or otherwise discipline an employee for just cause. Employee discipline shall be conducted using a fair and progressive approach consistent with the frequency and seriousness of the behaviour, act, or omission that warrants discipline.
2. This policy is not meant to deal with non-culpable behaviours such as incompetence.
3. Progressive discipline is a process for dealing with job-related behaviour that does not meet expected and communicated performance standards. The primary purpose for progressive discipline is to assist the employee to understand that a performance problem or opportunity for improvement exists. Progressive discipline is a discipline system where the severity of the penalty increases each time an employee breaks the rules. Typically, the progression is from oral warnings to written warnings to suspension to termination. The Employer has an interest in maintaining and developing productive employees and the first three (3) steps of the disciplinary process are meant to be corrective. The fourth step is applied when all else has failed or the breach of discipline is such as to warrant immediate dismissal.
4. Gross misconduct, including theft, fraud, intentional falsification of records, abuse of clients and/or co-workers, breach of confidentiality, and other serious irregularities will provide just cause for immediate dismissal without compensation or notice.
5. The Employer views the discipline situation as essentially a problem for the employee to resolve. Failure to do so will place employment at risk.
6. Where the Administrator is the subject of Progressive Discipline, the Human Resources Committee shall assume the roles otherwise hereto assigned to the Administrator.

PROCEDURE

Disciplinary problems occur when an employee continues to violate and ignore work policies and/or cause safety-related infractions.

If counselling and coaching by the employee's supervisor does not result in the desired degree of improvement, then formal disciplinary procedures as set out in this procedure are to be applied.

Misconduct in employee behaviour and performance problems that do not warrant immediate dismissal will be subject to Progressive Discipline. The progressive approach to discipline involves increasing the severity of a penalty each time an employee violates a rule. Progressive discipline does not necessarily mean an employer cannot discharge an employee for a first offence. The first offence may be serious enough not to warrant a second chance. A progressive discipline system is used to allow the Employer the opportunity to correct misbehaviour, which can result in several years of productivity from an employee. The Administrator shall document all policy violations as well as all stages of employee discipline.

All employees shall have an opportunity to state his/her side of the case in advance of discipline being imposed and shall have a representative present at all steps of the disciplinary process if they so choose.

PROGRESSIVE DISCIPLINE STEPS

Using progressive discipline, the Administrator selects the disciplinary sanction appropriate to the misconduct in question. The next incidence of the offence normally results in the imposition of a stronger disciplinary action. In this manner, the application of disciplinary sanctions is progressive in nature and gives the employee clear warning that he/she is moving towards discharge. The Administrator can apply any of the following disciplinary sanctions based on the seriousness of the offence, however the normal course of sanctions to be applied are as follows:

a) VERBAL WARNING

The Supervisor will meet with their employee in order to discuss the employee's performance. The employee will be given an explanation of when and how the behaviour took place. This will include the reason as to why the behaviour or action was unacceptable. The employee will be given an opportunity to explain the situation and their actions; and this will be heard and considered. The employee will be given a description of the desirable and/or acceptable behaviour or actions and advised that improvement is expected within a specific time frame. The employee will be informed that further disciplinary action, up to and including termination, will follow if unacceptable behaviour continues. The date and content of the discussions are to be recorded, and shared with the employee to ensure that he/she clearly understands what the required improvements are as well as the possible consequences if the problem is not corrected.

b) WRITTEN WARNING

This disciplinary sanction is applied for moderately serious offences or if the desired degree of improvement does not follow the verbal reprimand. The written reprimand contains the following information:

- Confirmation of the verbal discussion between the supervisor and employee;
- A description of the performance problem or statement of the rule or standard abused;
- The employee's explanation of his/her act(s);
- Results of management's investigation and decision;
- The desirable or acceptable behaviour or actions that is required and rationale;
- Assistance that management is prepared to provide, if any;
- An explanation that future disciplinary problems will be addressed with further progressive disciplinary actions up to and including termination;
- A future date on which the employee's behaviour will be reviewed.

The written reprimand will be given to the employee and a copy placed in the employee's personnel file.

c) SUSPENSION

Suspension involves the temporary removal of an employee from the work site for a definite period without pay. This sanction is used where lesser disciplinary sanctions have failed or for a serious first offence.

The Administrator will:

1. Consult with the Reeve to determine the time of suspension without pay;
2. Prepare a written letter to the employee. The content and distribution of the letter is the same as set out for the written warning with the inclusion of the beginning and terminating dates of the suspension;
3. Send the employee home effective immediately or, if not at work, indicate the suspension is effective immediately and the date to which the suspension is effective;
4. Retain copies for the personnel file.

d) **TERMINATION**

The involuntary termination of employment is normally used for a very serious first offence, i.e., theft, assault, serious insubordination, or in those circumstances where the employee meets the following criteria:

- The offence and the employee's work record indicate he/she is no longer fit for employment;
- There is little likelihood that the employee will rehabilitate himself/herself;
- Earlier corrective efforts by management have failed.

The employee will be given written documentation regarding his/her termination and the undesirable behaviour or action leading to and justifying the termination. Documentation shall include information on the offence and previous disciplinary communications with the employee, including a description of the unacceptable behaviour or action that took place, reasons it was unacceptable, and the desirable and/or acceptable behaviour or actions. The employee will be provided with the termination letter, including the date of termination; and a copy will be placed in the employee's personnel file.

The letter will be presented to the employee in person, in the presence of a witness or sent to him/her by registered mail. The employee will be escorted from the work site immediately, maintaining the dignity of the terminated employee by not making it obvious to other employees that the employee has been terminated and for what reasons.

The Administrator will also ensure the return of any RM of Lake Lenore No. 399 property (i.e., keys, equipment, etc.).