



Administrative Procedure: Employee Progressive Discipline

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1.0 Guidelines–Progressive Discipline

- 1.1 Progressive discipline, also known as corrective or constructive discipline, is a process for dealing with job-related behaviour or conduct, including work performance, that does not meet expected and communicated performance or conduct standards.
- 1.2 The primary purpose of progressive discipline is to assist the employee to understand that a conduct or performance problem exists and give the opportunity for improvement. Before performance or disciplinary issues are discussed, the supervisor should have given reasonable expectations (oral and written) to the employee.
- 1.3 The process of progressive discipline is intended to assist the employee to overcome conduct or performance problems and to satisfy job expectations. Progressive discipline is most successful when it assists an individual to become an effective performing member of the organization.

Progressive discipline, properly applied, is not harassment or workplace harassment.

2.0 Prior to Undertaking the Progressive Discipline Process

- 2.1 Where an incident or behaviour does not comply with Board expectations, and where there has been no prior discipline, it may be appropriate and sufficient to provide clarification in a non disciplinary format.

This clarification can take two forms, Informal Meeting or a Letter of Expectation.

2.2 Informal Meeting

An informal meeting is a discussion which:

- describes the undesirable behaviour or action;
- explains why the behaviour or action was unacceptable;
- allows the employee to provide an explanation;
- outlines expectations for desirable and/or acceptable behaviour or actions;
- cautions that disciplinary action may follow if unacceptable behaviour continues; and
- clarifies that the discussion is not disciplinary

2.3 Letter of Expectation

A written letter containing the expectations of the Board, will be sent to the employee via email and registered mail.

A copy of the letter will be sent to the Director of Education, Union, appropriate Superintendent, Immediate Supervisor, and Human Resources Manager, and placed in the employee's personal file.

3.0 Progressive Discipline Process

3.1 Basic Principles

While a supervisor has the right to discipline an employee, the principles of due process and fairness will be followed and a clear demonstration that the discipline is appropriate in the circumstances will be provided. The essential measures for establishing these requirements are as follows:

- Is the employee responsible for the alleged inappropriate behaviour or work performance deficiencies?
- Does the situation warrant corrective discipline?
- Is the penalty appropriate having due regard to all of the circumstances?
- The employee will be made aware of his/her right to union representation, if applicable, throughout the process.

3.2 The Investigation

Disciplinary action is taken only after the incident has been thoroughly investigated and the employee has been given an opportunity to respond to allegations at a meeting.

The Human Resources Manager or Superintendent, may for specific reasons, such as the safety of the employee involved, students, or other employees, or the involvement of Children's Aid Society or the police, place an employee on home assignment pending the results of the investigation.

The assignment out of the workplace pending investigation is just that. It is not a suspension as the use of that term may imply that disciplinary action has been applied before the investigation has been completed.

3.3 Progressive Discipline

Generally, the application of progressive discipline occurs in four progressive levels:

3.3.1 Verbal Warning

A verbal warning requires the documentation of inappropriate conduct. A verbal warning is a statement to the employee by an appropriate supervisor identifying a need for change in behaviour related to employment. After the required investigation process, the nature of the problem, what is required to correct the problem and the potential consequences of failure to make such a correction are clarified with the employee.

3.3.2 Written Warning

A written warning will explain the standard that will be used to judge the employee.

If the problem persists (or more problems emerge), the supervisor, after the required investigation process, may provide the employee with a written warning detailing the misconduct or performance deficiencies, along with the consequences.

3.3.3 **Written Warning with Sanctions**

A written reprimand with sanctions is the documentation of inappropriate conduct of a more serious nature or where the original problem persists. A written warning with sanctions is documented in the employee's file, and provides the rationale for additional disciplinary action which may include non-voluntary transfer, demotion or suspension.

3.3.4 **Termination**

Termination is dismissal of an employee from employment with the Board.

Depending on the conduct at issue, termination may be the final stage in progressive discipline or, where misconduct is of such magnitude, termination may be the immediate consequence.

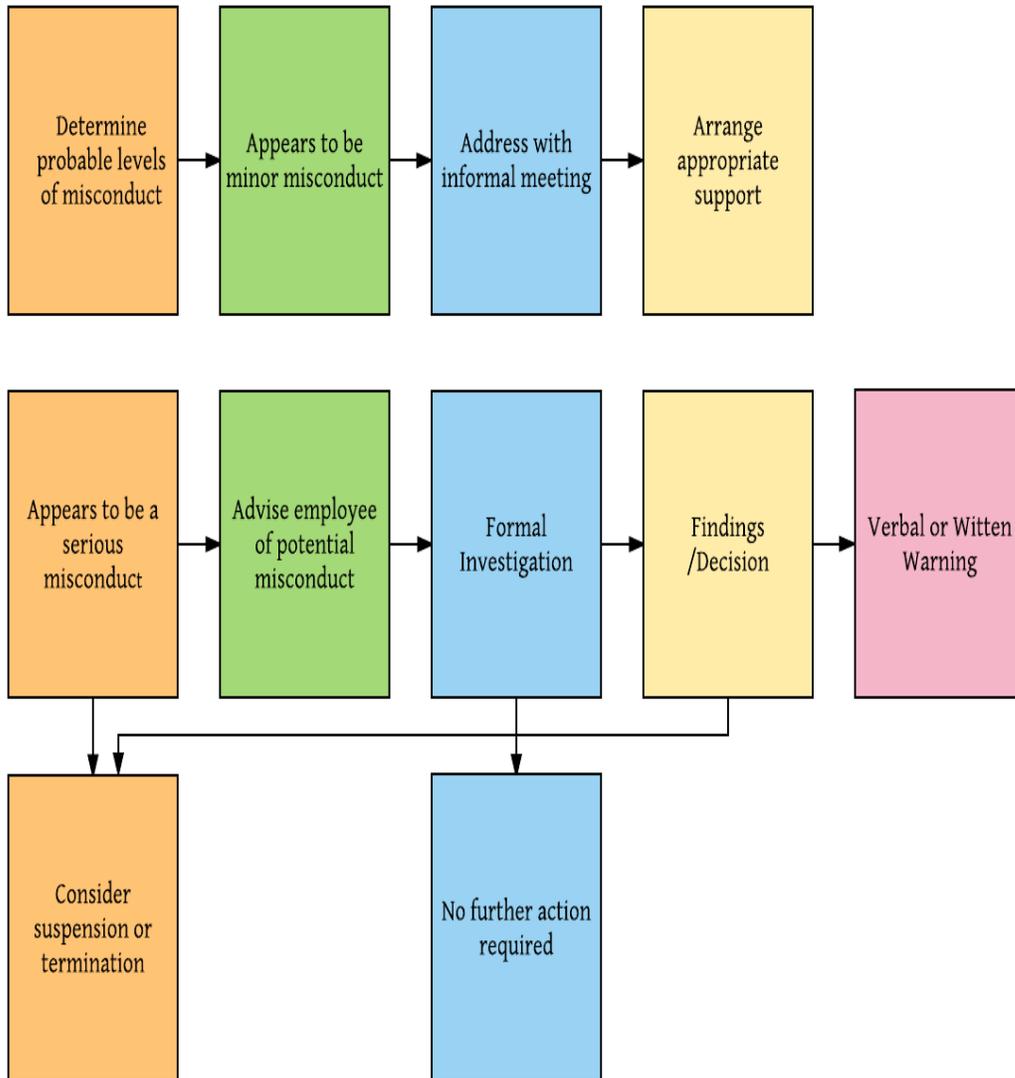
3.4 **Records**

All documents pertaining to the application of progressive discipline will be kept in Human Resources in the applicable employee's personnel file for up to seven years in accordance with the Board's Records Management and Retention Schedule.

Appendix A Employee Progressive Discipline Visual

EMPLOYEE PROGRESSIVE DISCIPLINE VISUAL

Appendix A



References

- Education Act, R.S.O. 1990,
- Ontario College of Teachers' Act
- Ontario Labour Relations Act
- Child and Family Services Act
- Policy ES 303 Code of Conduct
- Policy Performance Appraisal of Academic Staff
- Policy T 702 Information Technology – Acceptable Employees
- Policy HR 514 Principal Performance Appraisal
- Policy HR 516 Teacher Performance Appraisal
- Policy HR 533 Conflict of Interest for Employees
- Policy HR 511 Expectations of Teachers
- Policy ES 315 Workplace Harassment
- York Catholic District School Board Progressive Discipline Policy