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DISCIPLINARY POLICY

Policy Statement:

It is the policy of Community Living-Central Huron to be patient, fair and tolerant in the administration of its employees, and to encourage employees to exercise self-discipline at all times in their performance, based on individual conduct and behaviour. However, repeated, wilful or inexcusable breaches of policies, work ethics or standard operating practices are not acceptable and shall be dealt with in accordance with the provisions of this Statement of Policy and Procedure.

Depending on the severity of the concern and the number of past occurrences, disciplinary action may call for any of the four corrective steps and will apply to all Community Living-Central Huron Policies and Procedures, Principles and the Collective Agreement, as applicable.

Except for termination of employment, any step of the disciplinary procedure may be repeated more than once, if necessary.

Purpose:

To encourage consistent, self-discipline and corrective action in the event of unacceptable conduct, behaviour, or violations of policies, procedures or standard practices. Failure to meet these standards will result in corrective action being taken to ensure that the Agency's mandate is achieved.

Scope:

This policy applies to all Community Living-Central Huron employees and volunteers.

Responsibility:

Employees are responsible for performing their work in a competent manner and displaying conduct and behaviour that is consistent with Agency policies and practices, and those practices typically regarded as standard in work environments. Employees are also responsible for seeking clarification of acceptable standards, practices, policies, etc., from their Supervisor.

Supervisors are responsible for orientating, training, and counselling employees to understand the expectations of their position and of those of the Agency. Supervisors must follow-up on all reports of unacceptable conduct and performance concerns and will ensure, in consultation with the Coordinator and/or Executive Director, the necessary information and training, as appropriate, is available to Staff and volunteers to achieve the desired level of performance and/or behaviour. Each Supervisor is responsible for ensuring employees are treated with respect and fairness.

The Executive Director is responsible for ensuring this Policy is applied objectively, promptly and consistently to all employees and throughout all programs/divisions and to provide advice and assistance to management throughout the discipline process and in the application of the procedures outlined herein.

Procedure:

Community Living-Central Huron will utilize 'Progressive Discipline,' which calls for an increase of disciplinary action on a step-by-step basis, where the preceding action has failed to correct the behaviour or conduct. There are four basic steps in the application of progressive discipline; however, in the case of gross misconduct, it may be justified to omit one or more steps.

Note: Gross misconduct is an act which fundamentally breaches the trust and confidence the employer had in an employee; universal wrongdoing.

Except for termination of employment, it may also be appropriate to repeat the step of progressive discipline more than once depending on the circumstances, at the discretion of the Supervisor, in consultation with the Coordinator and/or Executive Director.

Notwithstanding the time frames referred to in Step One through to Step Four of the 'Progressive Discipline' Process, extraordinary or unforeseen circumstances may alter the expectations to complete steps in the designated time period.

Step One of the 'Progressive Discipline' Process:

When there has been an infraction, the employee will be verbally advised by their Supervisor or designate after the facts giving rise to the incident become known, in an informal manner, ie. meeting or telephone call, as follows:

- a) discuss the nature of the misconduct, or the rule or standard breached;
- b) reference to the previous discipline, if any;
- c) request to provide their explanation of the circumstances;
- d) reinforce the expected performance standard;
- e) corrective action or change in conduct expected; it is desirable that both parties agree on the preceding action as well as a time frame for demonstrated improvement of behaviour;
- f) follow-up by the Supervisor;
- g) verbal notice to the employee, a formal discipline step may be implemented if the desirable results are not achieved within an agreed time period;
- h) notice to the employee that although the incident has been recorded, there will be no formal letter placed in the employee's personnel file.

Step Two of the 'Progressive Discipline' Process:

When Step One, an informal discussion, has not achieved the desired performance standard, or where a more serious infraction has occurred, a written reprimand is warranted. The Supervisor or designate will meet with the employee to discuss the performance infraction(s) and review the expected performance standard. Subsequently, a Letter of Counselling will be provided to the employee, with a copy going in the employee's personnel file, summarizing the meeting and will include the following:

- a) the nature of the infraction(s), or the rule or standard breached;
- b) the employee's response to the performance infraction(s);
- c) reference to previous discipline, if any;
- d) reinforcement of the expected performance standard;
- e) corrective action or change in conduct expected; it is desirable that both parties agree on an action plan as well as a time frame for demonstrated improvement of behaviour;
- f) follow-up by the Supervisor will be scheduled no later than 30 days following the date on which the written warning and corrective action plan is issued; and
- g) notice to the employee, the potential consequences of continued or repeated infractions.

Step Three of the 'Progressive Discipline' Process:

This step is implemented as a paid or unpaid suspension, of the employee from the workplace for a specified period of time, based on the nature of the infraction(s). The Supervisor or designate will meet to discuss the performance infraction(s) and the expected performance standard. Subsequently, a Letter of Warning will be provided to the employee, with a copy going in the employee's personnel file, reviewing the meeting and the terms of the suspension; the letter will include the following:

- a) nature of the infraction(s)/rule that has been breached or the performance standard that has not been achieved;
- b) the employee's response to the performance infraction(s);
- c) if applicable, reference to previous oral/informal or written discipline;
- d) reinforcement of the expected performance standard;
- e) corrective action required or the change in conduct expected from the employee;
- f) if applicable, a time frame for demonstrated improvement;
- g) follow-up by the Supervisor will be scheduled no later than 14 days following the date on which the established time frame for demonstrated improvement is to occur;
- h) notice to the employee the potential consequence of continued or repeated infraction(s); and
- i) date(s) the paid or unpaid suspension is to be served, noting the shifts/hours.

Immediate disciplinary suspensions may also occur, without prior warnings, if the suspension is administered because of unacceptable conduct or behaviour which demands immediate action. In consultation with the Coordinator, if applicable, and the Executive Director, an investigation surrounding the suspension will be conducted. The suspended employee will be notified in writing of the result of the investigation within forty-eight hours following completion of the investigation.

Step Four of the 'Progressive Discipline' Process:

Dismissal will occur for infractions of an extremely serious nature or when the previous steps taken to achieve the required performance standard have failed.

The Executive Director or designate(s) will meet with the employee advising them of their dismissal, when possible. Subsequently, a letter from the Executive Director or designate will be provided to the employee, outlining the rationale and terms of dismissal. A copy of the dismissal letter will be placed in the employee's personnel file.