

## Employee Progressive Discipline Policy

Questions regarding this policy should be directed to the Policy Administrator.

Effective Date:	2018/10/24	Cross Reference:	Respectful Workplace Policy Code of Conduct Policy Ethics & Accountability Policy CUPE Local 2157 Collective Agreement KCFA Collective Agreement
Policy Owner:	Human Resources	Appendices:	Appendix A – Progressive Discipline Procedure
Policy Administrator:	Executive HR Director		
Approver:	Executive Committee		
Review Schedule:	Every 4 Years		

### 1. Policy Statement

- 1.1. Keyano College is committed to maintaining a healthy and productive work environment and atmosphere where all employees are afforded the opportunity to thrive. Where behaviours or competency do not allow for the College to achieve its desired work environment goals, Keyano College is committed to addressing the situation promptly and appropriately.
- 1.2. Keyano College expects all employees to be aware of and to follow workplace policies and rules for the well-being of our students and employees. Additionally, the College has standard operating principles and adherence to those principles is expected.

### 2. Background

- 2.1. Effective processes and controls are required to address employee performance issues and correct inappropriate behaviours. Effective management of this process will allow Keyano College to create an atmosphere where employees thrive.
- 2.2. The creation and maintenance of a healthy and productive work environment is a collective responsibility between Keyano College and its employees.
- 2.3. Progressive discipline is meant to be corrective rather than punitive, with the overall aim to rehabilitate the behaviour of the employee. Except in the most serious of situations, termination of employment is the last resort. The aim of progressive discipline is to help the employee correct the problem behaviour and become a positive contributor to the organization.

### 3. Policy Objective

- 3.1. The objectives of this policy are to:

- Provide a framework to address inappropriate behaviour and competencies of employees.
- Ensure a fair and consistent process is in place to address situations quickly.

#### **4. Scope**

4.1. This policy applies to all Keyano College employees.

#### **5. Definitions**

- 5.1. "Progressive discipline" is a step-by-step process designed to modify unacceptable employee behaviours, allowing for discipline to start at a higher step based on the severity and circumstances of the situation.
- 5.2. "Association" refers to the Keyano College Faculty Association.
- 5.3. "Union" refers to the CUPE Local 2157.
- 5.4. "Performance Improvement Plan" is a plan to help the employee succeed in meeting specific performance objectives and will outline specific actions or training required to restore performance to satisfactory levels.

#### **6. Guiding Principles**

- 6.1. Keyano College will apply a progressive discipline approach to address employees' performance and workplace issues.
- 6.2. Management is expected to address performance and work place issues promptly and appropriately.
- 6.3. Where an employee's work performance falls below acceptable standards, the immediate supervisor must provide timely and relevant feedback identifying where expectations are not being met and must work with the employee to develop a plan to restore performance to a satisfactory measure.
- 6.4. Immediate supervisors should seek advice and guidance from the Human Resources Department and legal counsel if required prior to addressing escalating discipline issues.
- 6.5. The Human Resources Department will provide guidance on the involvement of the Union or the Association in discipline issues. Where applicable, a Union or Association representative will be present in all disciplinary meetings.
- 6.6. In dealing with the possibility of misconduct on the part of an employee, the College will reference the Code of Conduct, Ethics and Accountability, and/or the Respectful Workplace policy, and will follow the procedures outlined in Appendix A.
- 6.7. In situations where the misconduct results in the need for escalated discipline, employees may be subject to disciplinary actions including but not limited to suspension, suspension without pay or immediate termination.

## **7. Guiding Principles – Performance Improvement Plan**

- 7.1. The goal of a formal performance improvement plan is to help the employee succeed in meeting specific performance objectives where the employee has not demonstrated improvement through the steps outlined above.
- 7.2. The plan will outline specific actions or training required to restore performance to satisfactory levels. The employee will be asked to sign the improvement plan to demonstrate commitment to improvement.
- 7.3. If performance does not improve over a reasonable and pre-determined timeframe, the decision to terminate employment may be recommended by the immediate supervisor.

## **8. Guiding Principles – Progressive Discipline Actions**

- 8.1. In cases where employees are not meeting expectations that have been clearly defined, management must take further disciplinary action through the following steps, in the order presented, and in accordance with the procedures outlined in Appendix A:
  - Verbal Warning
  - Written Warning
  - Final Written Warning (may include suspension with or without pay)
  - Termination
- 8.2. The immediate supervisor must document all disciplinary actions and provide a copy of all documentation to the Human Resources Department. At all stages, two individuals in a supervisory or management capacity, and an Association or Union representative (if applicable) should be present at the progressive discipline meeting(s).
- 8.3. All disciplinary actions are subject to the terms and conditions within the collective agreements.
- 8.4. Disciplinary action may start at any step in instances of theft, sexual assault, physical abuse, alcohol or drug abuse on the job, insubordination, harassment, or an incident of equal gravity. These types of serious offences may result in immediate termination.
- 8.5. The decision to terminate an employee must be recommended by the immediate supervisor and approved by the Executive Director, Human Resources and the area Vice-President.
- 8.6. The facts and circumstances of each case will determine what action, up to and including discharge from employment, is appropriate.

## 9. Roles and Responsibilities

STAKEHOLDER	RESPONSIBILITIES
<b>Executive Committee</b>	<ul style="list-style-type: none"> <li>Approve and formally support this policy</li> </ul>
<b>Human Resources Staff</b>	<ul style="list-style-type: none"> <li>Develop, maintain, and oversee the implementation of this policy</li> <li>Provide guidance on and administer the progressive discipline and performance plan process</li> </ul>
<b>Immediate supervisor</b>	<ul style="list-style-type: none"> <li>Conduct progressive discipline with the employee</li> <li>Work with Human Resources and the Association or Union (when applicable) on discipline issues</li> <li>When appropriate work with the employee and Human Resources to develop a performance improvement plan</li> </ul>
<b>Association/Union</b>	<ul style="list-style-type: none"> <li>Support employees through the progressive discipline process and ensure that proceedings are fair</li> </ul>
<b>Employees</b>	<ul style="list-style-type: none"> <li>Work with management to improve performance and develop a performance improvement plan</li> </ul>

## 10. Policy Management

Policy Title:	Progressive Discipline Policy
Approval Date:	
Effective Date:	
Historical Review Dates:	
Next Review Date:	
Related Legislation:	
Supersedes Policies:	3.26 Discipline
Monitoring/Frequency:	Every 4 Years
Policy Owner:	President & CEO
Policy Administrator:	Executive Director Human Resources
Policy Coordinator:	Executive Assistant, President & CEO and Board of Governors

## **Appendix A**

## **Progressive Discipline Procedures**

In dealing with employee misconduct or performance issues immediate supervisors will work with Human Resources to:

- Determine from the employee the reasons for inappropriate behavior
- Give due consideration to the employee's explanation
- Identify the difference between the required behaviour and the employee's behaviour
- Clearly articulate the behaviour that is required in the future
- Indicate the seriousness with which the College views the misconduct and the possible consequences of continuing misconduct
- Acknowledge the employee's progress in improving performance and, where possible, support an employee's effort to improve
- Take steps to limit the impact of the misconduct on operations
- Determine the level of discipline based on the mitigating factors, including the employee's explanation, and the impact of the incident, violation or performance issue

In cases where the employees have not met expectations that have been very clearly defined, the College must take further disciplinary action through the following steps:

### **1. Step 1- Verbal Warning**

- 1.1 Beginning with a verbal discussion, where an employee's work performance falls below the expected standards, the immediate supervisor will provide timely and specific feedback identifying where expectations are not being met.
- 1.2 The employee and immediate supervisor may discuss ways to improve the specific performance area.
- 1.3 In consultation with Human Resources the supervisor will document the conversation.
- 1.4 The employee will have opportunity to demonstrate improvement and the immediate supervisor will monitor performance and acknowledge if and when the performance issue has been corrected.

### **2. Step 2 - Written Warning**

- 2.1 If the conduct addressed by a verbal warning is repeated or additional problems of a similar nature occur within 12 months of a verbal warning, the supervisor should follow up with a written warning.
- 2.2 The immediate supervisor will document discussions with the employee about the performance issue and will share a copy of the documentation with the employee (e.g. the Performance Improvement Plan). The documentation will include the necessary improvements, the timeline for improvements and the support to be provided.

### **3. Step 3 - Final Written Warning (may include a suspension without pay)**

- 3.1 If the conduct addressed by the written warning is repeated or additional problems of a similar nature occur within a 12-month period, discipline may progress to a final written warning, which may include an unpaid suspension.
- 3.2 However, a single incident may be so severe as to merit an immediate final warning and suspension without pay.

### **4. Step 4 - Termination of Employment**

- 4.1 The last step in the progressive discipline process is the termination of an employee.
- 4.2 Employment may be terminated based on progressive discipline or based on the severity of a single incident.