



Policy Type: Human Resources
Policy #: HR-300-01
Approved by Council on: November 27, 2017

Human Resources – Discipline

Policy

The Town of Prescott supports fair and constructive disciplinary practices as well as the concept of progressive discipline, which is designed to correct behaviour rather than punish it. It is important to ensure that employees perform their duties in compliance with Town of Prescott rules, directives, regulations, instructions, policies and procedures, as well as the general law, since the objectives of the Town cannot be achieved without this acceptance and conformity.

Objective

To achieve the objectives of the Town through acceptance of and conformity with the rules, directives, regulations, instructions, policies and procedures established by the Town, as well as general law.

To ensure staff are aware of the disciplinary process and its purpose.

Procedure

This policy shall be applied in accordance with the Collective Agreement(s) if applicable. Supervisors are responsible for guiding employees in their behaviour at work.

The manner in which guidance is given is all-important. Employees should receive clear, unambiguous instructions on the code of conduct (Policy Number 200-02) and standards of performance expected of them.

Supervisors are held accountable for the completeness and accuracy of documentation that may be relied upon for discipline. Proper documentation is essential to the process of administering fair and reasonable discipline.

Discipline should be imposed based on a fair assessment of all of the circumstances of each specific case.

In some cases, it may be necessary to put an employee on a leave of absence with pay (non-disciplinary) during an investigation. Such periods should not be prolonged.



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Before discipline is imposed at any step of the process, it is essential to give the employee a reasonable opportunity to explain his/her actions.

Follow-up is also important. In many instances, it is not enough to discipline an employee and “let the case rest.” A systematic and controlled review of job performance may be required along with additional training as may be required.

The progressive disciplinary process involves increasing the severity of the discipline incrementally against persistent misconduct with the intention of inducing employees to reform their conduct. Under progressive discipline the seriousness and frequency of the employee’s misconduct, the employee’s service, the employee’s disciplinary record as well as any mitigating or aggravating factors are taken into consideration in determining the appropriate discipline to be taken.

Progressive discipline generally involves up to four steps:

- 1) Verbal Reprimand
- 2) Letter of Warning
- 3) Suspension Without Pay
- 4) Dismissal/Termination

The Town reserves the right to begin the process at any step and to skip or repeat steps depending on the facts and the circumstances of each case.

Whenever required by a collective agreement, a bargaining unit employee shall be given the opportunity for Union representation.

All verbal reprimands, letters of warning and suspension will come from the Supervisor/Director in consultation with the Department Head or his/her designate and Human Resources. Letters of dismissal/termination will come from the Department Head in collaboration with the Supervisor/Director and Human Resources. Any questions regarding disciplinary procedures are directed to the Department Head. In the absence of the Department Head the matter is referred to the CAO.



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Verbal Reprimand

A Supervisor/Director may give a verbal reprimand to an employee for minor infractions.

This reprimand is given in private so that the employee and Supervisor/Director may both benefit from a free interchange of opinion.

The Supervisor/Director is responsible for ensuring a written notation of the verbal reprimand is provided to Human Resources by email or personal delivery. It will be kept in the employee's file maintained in the Human Resources office. This notation does not constitute a letter of warning. It provides documentation of the first step of progressive discipline.

Letter of Warning

If it is deemed necessary to issue a letter of warning following discussion by the Supervisor/Director, Department Head or his/her designate, the following shall apply:

The letter should include a description of the infraction(s): a warning that repetition of the infraction(s) may result in further disciplinary action up to and including dismissal; a reminder that the Employee Assistance Program is available (where applicable), and, in the case of incompetence or work performance related infractions, a time period during which work is to be brought up to a required standard.

This letter is signed by the Supervisor/Director or Department Head or his/her designate and delivered to the employee with copies provided to the Human Resources and Union representatives, where applicable. It will be kept in the employee's file maintained in the Human Resources office.

Suspension Without Pay

If the infraction(s) is deemed serious by the Supervisor/Director and Department Head or in the event of repeat infractions, it may be decided to suspend the employee.

A letter of suspension is sent to the employee indicating the period of time for which the employee is suspended without pay. The letter should also include: a description of the infraction(s); a warning that repetition of the infraction(s) may result in further disciplinary action up to and including dismissal; a reminder that the Employee Assistance Program is available (where applicable), and in the case of incompetence or work



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performance related infractions, a time period during which the employee must bring his/her work up to a required standard.

The letter is signed by the Department Head and sent to the employee with copies sent to the Supervisor/Director, Human Resources and applicable Union representatives.

Dismissal

A letter of dismissal is issued promptly to the employee by the CAO.

This letter should include a description of the infraction(s), a description of disciplinary action taken to date (if applicable), as well as the effective date of the termination of employment.

This letter is signed by the Department Head and sent to the employee with copies sent to the Supervisor/Director, Department Head, Human Resources and Union representatives if applicable.

Examples

An employee who commits any misconduct and/or any violation of Town rules, directives, regulations, instructions, policies or procedures, or who contravenes the general law, including any of the following infractions shall be subject to disciplinary action up to and including dismissal/termination. Examples of such misconduct can include but are not limited to:

- Disregard of safety practices
- Breach of confidentiality
- Late in reporting for assignment
- Waste of material
- Pranks or horseplay
- Negligence in performance of assigned work
- Failure to notify employer when absent
- Incorrect attendance reporting
- Use of profane language in presence of the public
- Lying
- Abuse of leave
- Neglect of tools or equipment
- Failure to report work accident



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- Sleeping or attempting to sleep on duty
- Away from assignment without permission
- Refusing to obey an order or perform assigned work
- Encouraging others to commit infraction(s)
- Failure to comply with established policy
- Insubordination
- Interfering with work of others
- Damaging Town property
- Falsifying a Town record
- Obstructing a Town investigation
- Obtaining materials or services on a fraudulent order
- Away from work without permission
- Negligence resulting in injury
- Dishonesty
- Assault
- Fighting
- Drunkenness or disorderly conduct
- Reporting for duty while under the influence of alcohol or drugs
- Stealing
- Harassment
- Accessing pornographic material or accessing sites identified as inappropriate use of Town software
- Verbal or physical abuse of a member of the public
- Workplace violence
- Violation of the social media policy

This list is not intended to be an exhaustive or complete list. Discipline and/or dismissal may be imposed for infractions or offences not included herein.