

TOWN POLICY

ADMINISTRATION POLICY: **Progressive Discipline**

DEPARTMENT: Human Resources

POLICY NUMBER: HR-185

EFFECTIVE DATE: August 7, 2024

SUPERSEDES: HR-045

UP FOR REVIEW: August 7, 2029

Policy Statement:

Intentional disciplinary processes are an essential component of a positive and productive workplace.

The purpose of this policy is to:

Ensure a fair, transparent, and consistent approach to addressing employee performance and conduct issues. It aims to provide employees with clear expectations and multiple opportunities for improvement while allowing for appropriate disciplinary actions based on the severity of the behavior and individual circumstances.

1. Definitions

- (1) Department head: the Chief Administrative Officer, Assistant Administrator, and employee of highest rank in the following departments: Electrical, Engineering, Golf, Office and Finance, Municipal Enforcement, Parks and Recreation, Public Works, and Water and Wastewater.
- (2) Incompetence: lack of knowledge or skill required to meet expectations relevant to a position in the organization.
- (3) Insubordination: refusal to perform duties or obey reasonable orders.
- (4) Misconduct: disregard for the rules of the workplace.
- (5) Performance management activities: internal processes used to gauge employee performance.

2. Principles

The following principles are to be observed in all matters which may require discipline:

- (1) Impartiality
 - (a) All employees, regardless of position or length of tenure, shall be afforded the same treatment under this policy.





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(2) Diligence

- (a)** Investigations shall proceed with the presumption of the employee’s innocence.
- (b)** Accusations must demonstrate a reasonable degree of accuracy before being accepted as evidence.

(3) Confidentiality

- (a)** All disciplinary matters shall be conducted with the utmost discretion.
- (b)** Information concerning disciplinary matters shall be disclosed only to implement and manage the discipline.

3. Guidelines

(1) Responsibilities

All management personnel are required to address any conduct which may require discipline promptly. The chart below outlines these responsibilities as follows:

ROLE	RESPONSIBILITIES
Department head	<ul style="list-style-type: none"> • Conduct investigations and complete documentation • Issue verbal and written warnings • Consult the CAO if suspension or termination is required
Chief Administrative Officer (CAO)	<ul style="list-style-type: none"> • Issue notices of suspension and termination

(2) Unacceptable employee conduct includes incompetence, misconduct, and insubordination.

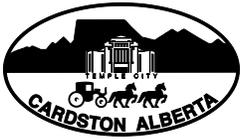
(3) The Town’s default approach to discipline is progressive. This approach seeks to:

- (a)** Communicate expectations and performance in a transparent manner.
- (b)** Account for misinterpretation, error, or other such unintentional matters.
- (c)** Afford the employee multiple opportunities to correct and improve their performance.

(4) The Town reserves the right to accelerate the disciplinary process if reasonable to do so. The following factors will be considered in determining the appropriate level of action:

- (a)** Nature and severity of the incident
- (b)** Employee’s previous disciplinary record
- (c)** Employee’s extenuating circumstances





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- (d) Employee's rehabilitative potential (honesty, remorse, willingness to take reparative action)
- (5) Disciplinary procedures as outlined in this policy are to be documented in writing. Reports shall be retained in the employee's file and include the following information:
 - (a) Circumstances leading to the discipline
 - (b) Dates, times, and locations of both incident(s) and discipline
 - (c) Copy of the warning, suspension, or termination notice
- (6) Two department heads shall be present when written warnings, notices of suspension, and notices of termination are delivered.

4. Procedure

In most cases, progressive discipline moves through several stages in the order presented below. At each stage, the department head and the employee must discuss the incident(s) leading to the discipline, clarify expectations, and discuss strategies for improvement.

- (1) Investigation
 - (a) If an employee's unacceptable conduct is established through performance management activities, the appropriate form of discipline may be delivered without further investigation.
 - (b) If an employee is accused of unacceptable conduct which is not demonstrated or reflected in performance management activities, an investigation will be conducted in accordance with subsection 2(2). As part of the investigation, the Town will ensure that:
 - (i) Accusations against employees are received in writing.
 - (ii) The employee is afforded an opportunity to respond to the accusation in the presence of two department heads.
 - (iii) If the accusation is substantiated, the appropriate level of discipline is carried out.
- (2) Verbal warning
 - (a) May be issued in response to:
 - (i) Incompetence, first offence
 - (ii) Misconduct, first offence
- (3) Written warning





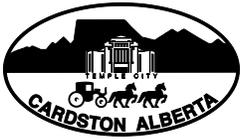
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- (a)** May be issued in response to:
 - (i)** Incompetence, second offence
 - (ii)** Misconduct, second offence
 - (iii)** Insubordination, first offence
- (b)** Written warning must clearly identify the:
 - (i)** Circumstances leading to the discipline.
 - (ii)** Corrective action the employee must take.
 - (iii)** Date when department head will verify corrective action has been taken.
- (4)** Suspension without pay
 - (a)** Suspensions shall occur over a two-day period.
 - (b)** May be issued in response to:
 - (i)** Incompetence, third offence
 - (ii)** Misconduct, third offence
 - (iii)** Insubordination, second offence
 - (c)** Suspension notice must clearly identify the:
 - (i)** Circumstances leading to the discipline.
 - (ii)** Corrective action the employee must take.
 - (iii)** Date when department head will verify corrective action has been taken.
- (5)** Termination
 - (a)** May be completed in response to:
 - (i)** Incompetence, fourth offence
 - (ii)** Misconduct, fourth offence
 - (iii)** Insubordination, third offence
 - (b)** In accordance with subsection 3(4), termination of an employee may occur immediately. Actions which can result in immediate termination include, but are not limited to:
 - (i)** Inflicting verbal or physical abuse on others
 - (ii)** Disregard for verbal or written instructions





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- (iii) Consuming alcohol or non-prescription drugs while on duty
 - (iv) Engaging in malicious or immoral conduct while on duty
 - (v) Working while impaired
 - (vi) Misuse, abuse, or theft of Town property
 - (vii) Using Town property to engage in immoral or criminal behavior
 - (c) An employee shall not be dismissed without the consultation and approval of the Chief Administrative Officer.
- (6) Appeals**
- (a) In the event an employee believes they have been wrongfully disciplined, they may file a written appeal with the CAO containing the details of the discipline, surrounding circumstances, and why the employee feels the discipline is unwarranted.
 - (b) Upon receipt of an appeal, the CAO shall respond within 10 business days.

REVISION HISTORY

Date	Description
August 7, 2024	New Policy, rescinds Policy #HR-045

APPROVAL: **DATE:**

Chief Administrative Officer, Jeff Shaw *(signed copy kept in CAO policy binder)*

