



SECTION: Human Resources

POLICY: HR 20

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PROGRESSIVE DISCIPLINE

PREAMBLE

Contact Brant has a policy of Progressive Discipline to ensure that employees have the opportunity to correct any performance or behavioural problems that may arise.

Contact Brant has established a set of reasonable policies and guidelines for employees to follow. These have not been put in place to restrict the freedom of employees, but rather are in consideration of their safety and the overall protection of Contact Brant employees, property, and business practices.

POLICY

In the event that an employee violates agency policy or exhibits problematic conduct or behaviour, a system of progressive discipline shall be utilized, where possible.

The concept of discipline will emphasize corrective action to encourage employees to exercise self-control in their conduct.

PROCEDURE

1. Degrees of discipline shall be used in relation to the presenting problem. Minor offences will be subject to progressive disciplinary action while offences considered to be of a substantially offensive nature may result in immediate suspension or termination of the employee.
2. Offenses usually considered to be minor include but are not limited to:
 - Violations of Contact Brant policy or procedures.
 - Arriving to work late or leaving early without reasonable cause
 - Failure to properly report work absenteeism or failure to provide reasonable cause for an absence from the work
 - Time theft: taking personal time while scheduled for working hours
 - Taking time off without prior authorization
 - Disorderly conduct on Contact Brant premises or while on Contact Brant business
 - Creating a disturbance that interferes with the normal job activities of other employees
 - Failing to successfully meet job requirements
 - Creation of unsanitary work conditions
 - Gambling on Contact Brant premises or on work time

- Causing an unsafe work environment, and thereby endangering the safety of Contact Brant employees
 - Engaging in malicious gossip and/or the spreading of rumours
 - Violations of the Professional Code of Conduct Policy.
3. Offences considered to be of a substantially offensive nature include, but are not limited to:
- Possession or use of alcohol, illicit narcotics, or non-prescribed pharmaceuticals while on Contact Brant premises or during work hours
 - Reporting for work while under the influence of alcohol, narcotics or non-prescribed pharmaceuticals
 - Workplace violence, including but not limited to fighting, assault, harassment, or possession of a weapon
 - Abuse of another person
 - Wilful destruction of another employee's property, Contact Brant property, or the leaseholder's property
 - Theft of Contact Brant resources or co-worker's property
 - Insubordination
 - Breach of confidentiality
 - Dishonest, illegal or improper activities
 - Immoral or indecent conduct
 - Repeated, wilful or inexcusable breaches or violations of agency policies, standard operating practices, or agency values
 - Repeated failure to successfully meet job requirements.
4. The Chief Executive Officer will typically implement discipline in a progressive manner. As the situation dictates, based on the seriousness of the violation as well as the past performance of the employee, the Chief Executive Officer reserves the right to skip any steps in the progressive disciplinary process, including moving to immediate suspension or termination of the employee for offenses considered to be of a substantially offensive nature.
5. Progressive disciplinary action will typically occur as follows:
- i. Informal counselling will be provided by the Chief Executive Officer by bringing the incident to the employee's attention. The employee and the Chief Executive Officer will discuss the concerns and agree on a corrective action plan; the Chief Executive Officer will provide supportive mentoring and follow up with employee to ensure the desired results are achieved. A verbal warning will be provided by the Chief Executive Officer that if the desired changes are not achieved after an agreed upon reasonable time, further discipline may be implemented.
 - ii. A written warning will be provided by the Chief Executive Officer in conjunction with a meeting with the employee to bring the incident to the employee's attention. A written warning is considered a severe disciplinary action and is usually issued after informal counselling has failed to correct the concern, or the situation warrants discipline that is more severe than informal counselling. The employee and the Chief Executive Officer will discuss the concerns and agree on a corrective action plan; the Chief Executive Officer will

provide supportive mentoring and follow up the with employee to ensure the expected results are achieved. The employee shall be advised that further violations may result in further discipline including a suspension or termination of employment.

- iii. Suspension of one to five days with a written letter will be provided by the Chief Executive Officer in conjunction with a meeting with the employee to bring the incident to the employee's attention. Suspension means an employee is relieved of their job assignment without pay. The employee and the Chief Executive Officer will discuss the concerns and agree on a corrective action plan following the suspension. The Chief Executive Officer will provide supportive mentoring and follow up with the employee to ensure the expected results are achieved. The employee shall be advised that further violations may result in the termination of employment.
 - iv. Termination of employment will occur based on the past performance of the employee following repeated disciplinary actions and/or based on the seriousness of a violation.
6. As the situation dictates, based on the past performance of the employee and the seriousness of the violation, the Chief Executive Officer may place an employee on performance-based probation following a written warning or suspension for a set time-frame of up to 6 months; wage increases and new job positions will not be granted during the probationary period.
 7. If no further infractions of the issue in question occur, no further disciplinary action shall follow.
 8. With each infraction or apparent problem, the Chief Executive Officer will provide the employee in written or verbal form:
 - a reiteration of the correct agency policy regarding the violation;
 - advise on the consequences associated with further infractions, and
 - suggestions towards methods of improvement.
 9. All violations or alleged violations of policy or offenses as outlined above, shall be properly investigated by the Chief Executive Officer.
 - Investigation will be conducted as soon as possible after learning of the incident. For considerations in conducting an investigation, refer to the Abuse Policy, *Conducting an Internal Investigation*.
 10. It is very important to verify details and document facts for each step of the progressive discipline process. The Chief Executive Officer will document and retain the following documentation in the employee's Human Resource Record:
 - Where and when the incident took place including date and location
 - Documentation of the problem including a factual account of what happened and why it was a problem; the date the documentation was written. The documentation of an incident that is kept in the employee's file should not contain information that has not been addressed with the employee.
 - Other employees who were involved in or witnessed the situation.

- What policies or rules were broken.
- What was the consequence of the behaviour to other employees or the organization.
- Changes that are required to correct the problem.
- The date by which the change/improvement must be made,
- The consequences of not making the necessary change.
- Name and signature of the manager who wrote the documentation.

11. Suspension with Pay Pending Investigation

An employee may be placed on suspension with pay as a result of allegations implicating the employee of having committed a serious violation to allow the necessary time to complete an investigation into the violation. This form of suspension is not disciplinary, but is intended to allow Contact Brant to examine the issues thoroughly and to determine appropriate action. Should the investigation not be completed during the stated timeline, Contact Brant will reserve the right to extend the suspension, as necessary.

- The employee will be notified of the decision in writing of suspension with pay pending investigation, a stated timeline for the investigation, and the actions that predicated the decision.
- During the course of the investigation, the suspended employee will be provided with the details of the allegations and given an opportunity to respond to them through an interview process. As the employee will be suspended with full pay, the employee will be required to be available for interviews during this period, and will be given 24 hours' notice prior to any interviews taking place. Should the suspended employee need to leave town or will not be available for interviews, they must submit a request to be granted approved leave.
- If the suspended employee fails to be available for interviews, Contact Brant will proceed with the investigation and make a determination based on the information available.
- Contact Brant will provide the employee with a written letter regarding the outcome of the investigation including any disciplinary action.
- Contact Brant will work with the employee towards returning to work successfully, as appropriate.

12. Any employee placed on suspension with or without pay will be required to temporarily turn over their office keys; additionally any Contact Brant property, including but not limited to cell phones and laptops, business information, and confidential information are to remain at the worksite until such time as the investigation is completed.

13. Employees placed on suspension should not have contact with anyone from the office other than their designated point of contact.

14. Appeals: In the event that an employee feels that they have been wrongfully accused or disciplined they may file a written appeal, which should contain all necessary documentation, to the Chief Executive Officer.

- The Chief Executive Officer will review and respond in writing to all written appeals within 5 business days, wherever possible.
 - In the event that an employee still feels that they have been wrongfully accused or disciplined, they may file a written appeal to the Chair of the Board of Directors, who will take the appeal to an In-Camera session of the Board of Directors to review and respond in writing to the employee about the Board's decision to uphold, reduce, or withdraw the discipline. The Board meeting will be called in a timely manner, ensuring quorum at the meeting.
15. In the situation of an interview during an investigation or an appeal, an employee has a right to bring a person to support them through the process. If the employee chooses to be represented by Counsel, the employee must notify the CEO or Board (as appropriate in the process) at least one day in advance.
 16. Following an investigation or appeal, a written resolution of the matter will be prepared and provided to the employee and the Board. The employee will be asked to sign-off on the decision.
 17. Any form of retaliation by the employee could result in more severe discipline.
 18. The Chief Executive Officer will report all disciplinary actions to the Board of Directors at the next In-Camera meeting of the Board. All documentation related to legal issues, including Human Rights, will be retained in the Board of Director's confidential records.