



## HUMAN RESOURCES MANAGEMENT 35 – Progressive Discipline for Support Staff

Date: June 30, 2004

Responsible Administrator: Associate Superintendent; Human Resources

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### 1.0 RATIONALE

- 1.1 A clear understanding of progressive discipline is necessary to ensure the fair and consistent treatment of support staff in matters of discipline.
- 1.2 The main goal of progressive discipline is to correct the problem, not to punish the employee.
- 1.3 Progressive discipline is required to ensure that the employer uses consistent and fair methods in dealing with all instances of unsatisfactory performance. One benefit to the employer is to establish defensible practices in the context of natural justice.

### 2.0 PROCESS

The Associate Superintendent, Human Resources will be responsible for maintaining this process and ensuring that it is followed.

### 3.0 GUIDELINES

- 3.1 In the early stages of the disciplinary process, the supervisor should ask the employee if there are any problems in the employee's personal life that are affecting his/her ability to meet acceptable standards of performance and, if the employee identifies such problems, benefits of the Employee Assistance Program should be offered. In such cases, it may be necessary to allow a reasonable period of adjustment during the assistance. Similarly, it is advisable to offer training or mentoring to an employee to correct unacceptable performance. The above assistance should be referenced in any disciplinary letters.

- 3.2 The usual steps of *progressive discipline* are as follows:

- 3.2.1 Verbal Reprimand

*A verbal reprimand* is a conversation between the supervisor and the employee about a conduct matter. The supervisor must advise the employee that a verbal reprimand is being given and that the verbal

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reprimand will be noted in his/her personnel file. Reference to previous informal conversations can be made in this note. The supervisor will forward the note on the verbal reprimand to Human Resources for filing in the employee's personnel file **and provide the employee with a copy of the note**. The supervisor must advise the employee of the next step in Progressive Discipline should the misconduct continue.

### 3.2.2 Written Reprimand(s)

A written reprimand involves a formal meeting and a formal conversation between the supervisor and employee regarding a conduct matter. Prior to the meeting, the supervisor must advise the employee that a disciplinary meeting will be held, and advise the employee of his/her right to representation at the meeting. A written reprimand must contain the following:

- 3.2.2.1 The date of the conversation.
- 3.2.2.2 Details about the specific conduct violation or performance problem that occurred.
- 3.2.2.3 A reference to any previous conversations about the problem.
- 3.2.2.4 A statement of the specific change the employee is expected to make.
- 3.2.2.5 A statement that the letter constitutes disciplinary action and further incidents will lead to more serious disciplinary measures.

The supervisor and the employee must sign the written reprimand, and forward a copy to Human Resources for filing in the employee's personnel file. A copy of the signed written reprimand must be given to the employee. This process should be completed as soon as possible after the misconduct occurred. It is recommended that whenever possible, two representatives of the employer be present at such meetings.

### 3.2.3 Suspension Without Pay

Prior to enacting a *suspension without pay*, the supervisor will advise the Associate Superintendent, Human Resources of his/her recommendation to suspend the employee without pay, and shall discuss the

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recommendation with the Associate Superintendent, Human Resources. Assuming the suspension without pay is to be enacted, the supervisor must advise the employee that a disciplinary meeting will be held and advise the employee of his/her right to representation at the meeting. A letter outlining details of any previous verbal and/or written reprimands on the same issue, and the specific length of the suspension, is to be prepared and presented at the suspension without pay meeting. The length of the suspension should be commensurate with the seriousness of the misconduct.

### 3.2.4 Termination

*Termination* is the last step in progressive discipline and should be regarded as corporal punishment in the work force. Therefore, termination should be undertaken only after every effort has been made to correct the performance of the employee. Exceptions to termination as the last step in progressive discipline would be a case of flagrant misconduct that warrants immediate dismissal.

### 3.3 Three Month Probationary Period

Refer to Employment Standards Act articles for termination without cause within three months of employment.

#### 3.3.1 In administering this process:

- 3.3.1.1 The supervisor provides **written** feedback to the employee within 30 days of employment **using the form entitled “Supervisor’s Report on Probationary Staff Member”** and continues to monitor, keeping dated written notes.
- 3.3.1.2 **The supervisor** provides **written** feedback again within 60 days, keeping dated written notes.
- 3.3.1.3 If at any time within the three month period termination is recommended, the supervisor shall consult with the Associate Superintendent, Human Resources who will issue the letter of termination should that be the course of action to be followed.

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Supervisor’s Report on Probationary Support Staff Member

Employee’s Name: \_\_\_\_\_ School

Site: \_\_\_\_\_

Section A: 30-Day Report – Complete Section (a) or (b)

(a) The above named employee is meeting job expectations at this time.

OR

(b) The above named employee needs to address the following matters:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have provided the following help/information to assist this employee in addressing the above noted matters.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee’s Signature

\_\_\_\_\_  
Supervisor’s Signature

\_\_\_\_\_  
Date

Section B: 60-Day Report – Complete Section (a) or (b)

(a) The above named employee is meeting job expectations at this time.

OR

(b) The above named employee needs to address the following matters:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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I have provided the following help/information to assist this employee in addressing the above noted matters.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

**Section C: This section is to be completed and sent to the Associate Superintendent, Human Resources within 80 days of commencing employment.**

(a) I am recommending this employee for permanent employee status.

**OR**

(b) I am hereby recommending that the above named employee's contract be terminated.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

Copy: The Employee  
Associate Superintendent, Human Resources  
Personnel File

References: *CUPE Collective Agreement; General Employment Conditions*