

Administrative Procedures Manual	Administrative Procedure 410
	Progressive Staff Discipline
	APPROVED: September 2013
Page 1 of 3	AMENDED/REVIEWED: August 2016, April 2020
LEGAL REFERENCE:	Section 52, 53, 68, 197, 204, 213, 214, 215, 222, 225 Education Act

Background

Most employees want to do what is expected of them and want to perform their duties well. However, as the employer, the Division periodically needs to deal with problems caused by the conduct or performance of an employee. The Division subscribes to the philosophy of progressive discipline which is premised on the hope that the employee will correct any conduct or performance problems that may arise so as to avert having disciplinary measures escalate to subsequent steps. Progressive discipline provides an opportunity to uphold the Division's mission and guiding principles, alleviate any feelings of unjust treatment, and offer guidance and support to employees. The goal of progressive discipline is to correct poor behaviour or performance so as to create a better and more productive employee. The Division has established a set of reasonable procedures for supervisors to follow. These procedures are put in place in consideration of the overall proper and optimal functioning of the Division.

Procedures

1. These procedures apply to all employees that work for the Division.
2. In the event that an employee violates Division policy or procedures or exhibits problematic behaviour, in most circumstances the Division will consider progressive discipline. This administrative procedure in no way fetters the supervisor, Superintendent or designate, from taking any action, disciplinary or administrative measure, or exercising any right or power under the Education Act where employment related action is warranted.
3. Letters of Concern and Expectation or Reprimand issued to the employee will:
 - 3.1 State the type of letter being issued
 - 3.2 Alert the employee to the problem and specify the problem behaviour
 - 3.3 Remind the employee of any previous verbal or written admonitions provided relating to the issue
 - 3.4 Reiterate the expectations
 - 3.5 Advise the employee of the consequences associated with further disciplinary infractions
 - 3.6 Contain other information deemed pertinent
4. All concerns will be investigated by appropriate personnel before determining if discipline will result. Where a unionized employee is facing a disciplinary consequence, they have the right to union representation before discipline is issued. Letters of Concern and Expectation are not deemed disciplinary letters.

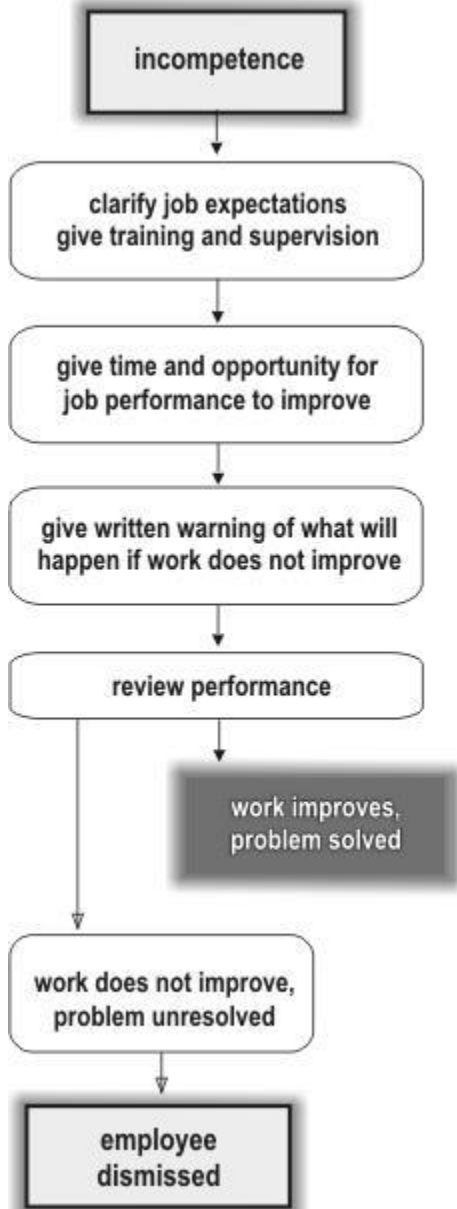
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5. Supervisors must obtain advice from the Superintendent or designate relative to the contents and wording of any Letter of Concern and Expectation or Reprimand prior to the letter being issued.
6. Any letter issued shall be discussed with the employee by the supervisor upon issuance.
7. Supervisors reserve discretion in determining whether to forward a copy of a Letter of Concern and Expectation to the Superintendent or designate for inclusion on the employee's personnel file. The letter shall indicate a copy has been so forwarded if that is the case.
8. Any Letters of Reprimand must be forwarded to the Superintendent or designate for inclusion in the employee's personnel file, and the letter shall indicate a copy has been so forwarded.
9. Employees who have a letter placed on their personnel file have the right to provide a written response to the letter and that response shall be attached to the letter and kept in the personnel file.
10. The supervisor is to document to their own working file the date and description of any conversations with, or verbal warnings given to, the employee relative to behaviour of concern.
11. Suspensions and terminations shall be carried out in accordance with applicable legislation and only by the Superintendent.
12. No decision made under this Administrative Procedure is appealable to the Board.

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Please see the reference below from [Human Resources and Skills Development Canada](http://www.humanresources.gc.ca) or follow the link for more information.

Dealing with Incompetence



Dealing with Misconduct

