

City of Prince Albert Statement of POLICY and PROCEDURE			
Department:	Corporate Services	Policy No.	33
Section:	Human Resources	Issued:	June 12, 1991
Subject:	Progressive Discipline Policy	Policy Effective:	May 25, 2009
Council Resolution # and Date:	Council Resolution No. 381 of May 25, 2009	Page:	1 of 7
		Replaces:	Admin Policy
Issued by:	Chris Cvik, Director of Corporate Services	Dated:	June 12, 1991
Approved by:	Chris Cvik, Director of Corporate Services	Procedure Amendment:	May 17, 2011

1. POLICY

- 1.01 It is the expectation of the City of Prince Albert that all employees are to conduct themselves in a manner that promotes excellence, cooperation and integrity while striving to achieve the best results for the citizens of Prince Albert and to meet the goals and objectives of the City of Prince Albert. It is the policy of the City of Prince Albert to address inappropriate behaviour and culpable misconduct in a progressive and corrective manner while maintaining the dignity of the employee and complying with the provisions of the relevant collective agreements and applicable legislation.
- 1.02 When it is determined that progressive discipline is the appropriate response to workplace misconduct it will be done so in the presence of Union Representation where applicable and the involvement of appropriate Management and Human Resources personnel.

2. PURPOSE

- 2.01 The purpose of the Progressive Discipline program is to provide a measured, systematic response to culpable misconduct and inappropriate behaviour with the primary objectives being:
- To encourage employees to adopt appropriate behaviours and correct deficient performance;
 - To promote and maintain common behavioural standards and expectations in the workplace; and
 - In the event that the employee chooses not to comply with workplace rules and expectations, the process should satisfy the legal requirements for dismissal with cause.

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3. SCOPE

- 3.01 The progressive discipline policy will apply to all employees of the City of Prince Albert

4. RESPONSIBILITY

4.01 Role of Human Resources

The primary role of Human Resources is that of consultant and to assist in guiding the disciplinary process by:

- a. Establish proper guidelines and procedures
- b. Ensure consistency and compliance with collective agreements, relevant legislation and the concept of fair standards and treatment
- c. Serve as a Consultant to Managers during the process

4.02 Role of Manager

The primary role of the Manager is to establish and maintain clear work and behavioural expectations for all staff and enforce those expectations in a fair, clear, consistent and predictable fashion. If an employee chooses not to comply with those rules and expectations the Manager's role is to:

- a. Understand the Progressive/Constructive Discipline Process;
 - b. Consult with HR throughout the process;
 - c. Conduct a complete and thorough investigation;
 - d. Involve and keep Union informed, as appropriate, throughout the process;
 - e. Ensure thorough documentation;
 - f. Direct and Manage the investigation and disciplinary meetings; and
 - g. Discuss corrective action with HR and Department Head.
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4.03 Role of Employee

The employee's primary role is to cooperate with the process and comply with agreed upon expectations.

- a. The employee is responsible for the consequences of their actions.
- b. When misconduct has been established the onus is on the employee to correct behaviour and comply with workplace expectations, the discipline situation is now the employee's problem to solve.

5. DEFINITIONS

5.01 The policy only applies to instances of misconduct, which is behaviour that has the following characteristics:

- a. The employee knows or could reasonably be expected to know what is required;
- b. The employee is capable of carrying out what is required; or
- c. The employee chooses to perform in a manner other than is required.

6. REFERENCES & RELATED STATEMENTS OF POLICY & PROCEDURE

6.01 Appendix A – General Workplace Rules

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7. PROCEDURE

7.01 Role of the Out-of-Scope Manager when a discipline situation occurs:

- a. Determine what occurred - establish and verify the actual event. Document your investigation in writing.
 - b. Discuss the situation with the Department Head and Human Resources.
 - c. Conduct a Disciplinary hearing:
 - i) Inform employee of meeting to discuss the apparent infraction and advise that you wish to hear their explanation;
 - ii) Ensure that the employee has a Union/Association representative present at the Hearing;
 - iii) Explain what happened and ask for employee's explanation. Ask clarifying questions and record all explanations; and
 - iv) Advise the employee that the matter will be investigated further and that disciplinary action could result.
 - d. Investigate employee's explanation. Review the evidence and record the observations from any person who may have had knowledge of the event.
 - e. Consider the mitigating factors which may lessen or even eliminate a disciplinary response.
 - f. After discussing the case with the Department Head and Human Resources, give Management's decision on disciplinary action to be taken:
 - i) Meet with employee in private
 - ii) Ensure that the employee has a Union representative present
 - iii) Tell them the employee's explanation
 - iv) Advise them of results of investigation
 - v) Advise them of discipline action to be taken
 - vi) Describe the behaviour expected from the employee and why it is expected
 - vii) State a date when the employee's performance will be reviewed i.e. one month to six months in the future.
 - viii) Put the above in writing to the employee with a copy to the Union/Association and to Human Resources.
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- g. Conduct the performance review on the date decided above:
 - i) Meet with the employee and the Union representative.
 - ii) Review the employee's progress and acknowledge the progress in writing with a copy to the Union.
 - iii) If progress has not been satisfactory, establish another performance review date and put this in writing to the employee with a copy to the Union.

7.02 Conducting a Disciplinary Hearing

- a. Focus on the problem itself and not the employee. Concentrate on performance and the adverse effect on the work unit.
 - b. Allow the employee to explain. Ask clarifying questions but avoid trying to prove your case. Remember it is a "hearing".
 - c. Be calm before you go into the Hearing. Employees may become emotional, and you can reduce the emotional level of the Hearing by remaining calm and rational.
 - d. Remember that the situation is the employee's dilemma. Any employee who breaks rules is subject to discipline and puts his job in jeopardy. Once you present your interpretation of what occurred, the onus shifts to the employee to explain.
 - e. Remember that the Union representative is present to act as a defender and witness, and their responsibilities are very similar to those undertaken by Management. Their findings may provide valuable information to you.
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7.03 Disciplinary Process and Sanctions

The level of seriousness of the misconduct will determine the level of discipline – discipline should be proportional to the offence.

- a. Verbal Warnings - Union representation is required. A written record should be made of this meeting and shared with the employee and the Union, with a copy to the employee's file. Verbal warnings are typical for misconduct that, though relatively minor in nature, would become problematic if repeated
- b. Written Reprimand - done when a verbal warning has failed, or the seriousness of the misconduct would warrant a more severe response. It should outline the details and when expected behaviour will be reviewed.
- c. Suspension - initiated when written reprimands have failed to correct behaviour or for a serious first offence. Usual length of suspension is from one (1) to ten (10) days with extensions to thirty (30) days for very serious offences.
- d. Discharge - initiated for a very serious first offence such as theft, assault or serious insubordination or where the employee meets the following criteria:
 - i) The offence and the employee's record indicate they are not fit for employment; or
 - ii) Earlier corrective efforts have failed. The date of discharge could be immediate or after a period of notice.
- e. Removal From Work Site Pending Investigation - can be with or without pay and is used in such cases as intoxication, fighting or other serious misconduct on the job or affecting the job. In all cases the employee is advised to return to work at a specified date and time.

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7.04 Delegation of Authority to Impose Discipline Sanctions

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|--|-----------------------------|
| a. Verbal Warnings | Out of Scope Manager |
| b. Removal From Work Site | Out of Scope Manager |
| c. Written Reprimand | Out of Scope Manager |
| d. Suspensions | Department Head / designate |
| e. Discharge - Probationary Employee | Department Head / designate |
| f. Discharge – Non-Probationary Employee | City Manager / designate |

- 7.05 All employees will be required to sign a copy of Appendix A – General Workplace Rules, indicating that they have read, understand and agree to follow the outlined rules. The signed document will be placed in the employee's personnel file.

City of Prince Albert Progressive Discipline Policy

Appendix A – General Workplace Rules

The City of Prince Albert will be responsible to maintain and communicate to employees, workplace rules governed by common sense, ethical conduct, occupational health and safety, public interest and workplace efficiency. These rules are established so the City can attain its objectives in an orderly and efficient manner and are not intended to restrict the rights of employees, but rather to advise employees of prohibited conduct.

Employee Name: _____ (Please print)

PROHIBITED CONDUCT:

Following is a list of offences which will result in disciplinary sanctions in accordance with the Progressive Discipline Policy. This is not an exhaustive list of all offences. Other rules, guidelines, and expected behaviours regulated by applicable employer policies, common law, statutory legislation and criminal law will also result in firm application of disciplinary sanctions.

FRAUD:

1. Misrepresentation to the employer.
2. Falsification of time records.
3. Making or permitting a false record relating to any material or work.

PROPERTY/PERSON:

4. Defacing, damaging or destroying property of the City or others.
5. Theft, pilferage, inappropriate or unauthorized removal or possession of property of the City of Prince Albert, users of City facilities, or others.
6. Using any piece of equipment or property without being authorized to do so whether during or after work hours.
7. Theft, pilferage or unauthorized removal of property from private premises or businesses while performing work on behalf of the City of Prince Albert.
8. Use of City facilities after normal working hours without authorization.
9. Assisting any person to gain unauthorized entrance to any portion of the employer's premises.
10. Unauthorized removal of or tampering with posted City issued notices or signs.
11. Unauthorized disclosure of confidential information of records including personal or customer information such as home numbers, cell numbers and addresses.

WORK PLACE SAFETY:

12. Possession or consumption of alcohol or illegal drugs on City premises or reporting to work under the influence of alcohol or illegal drugs.
13. Violent behaviour or violent action in any form.

Initials



14. Bringing in, possessing, or using weapons or explosives on City property without prior management approval.
15. Engaging in horseplay, scuffling or throwing objects during work hours or on City premises.
16. Failure to follow required safety procedures or careless or negligent use or operation of City tools, equipment, or vehicles.
17. Fighting or causing bodily injury to another employee or member of the public or other form of disorderly conduct.
18. Threatening, intimidating, or abusive language (including swearing) to any supervisor or employee or members of the public.

ABSENTEEISM:

19. Excessive absence or tardiness.
20. Absent from work area without permission, wasting time, loitering, sleeping during working hours, or engaging in unauthorized personal business.

INSUBORDINATION:

21. Refusal to accept or follow orders or directions from proper authority or any other form of insubordination.
22. Interfering with, obstruction of, or otherwise hindering the work performance of another employee.

EFFICIENCY

23. Failure to meet quality or quantity requirements as determined by the Department Head or City Manager.
24. Negligence in performance of assigned duties.

RESPECTFUL WORKPLACE

25. Failure to exercise good judgment, or being discourteous, in dealing with another employee or member of the public.
26. Harassment in any form.
27. Originating or spreading false statements concerning employees or the employer.
28. Immoral or indecent conduct during work hours or on City premises, including usage of electronic media for this purpose.

I have received a copy of this document, have read it, understand the contents herein, and agree to comply with the General Workplace Rules as listed above.

Date

Signature