

**Town of Deep River
POLICY / PROCEDURE MANUAL**

Corporate Policies and Procedures				
DEPARTMENT: Human Resources				POLICY NO.: H-007
POLICY NAME: Discipline and Dismissal				
DATE OF ORIGIN:	REVIEW DATE:	REVISION DATE:	APPLICABLE TO:	PAGE NUMBERS:
Nov. 18, 1988	Nov. 2021	Dec. 15, 2021	All Employees	1 to 6

APPLICATION

This policy applies to all employees of the Corporation of the Town of Deep River, subject to the terms of any applicable collective agreements.

POLICY STATEMENT

The purpose of discipline is correction of inappropriate behaviour and the improvement of substandard performance. The Town expects its employees to comply with rules, directives, regulations, instructions and procedures, and to perform their duties at an acceptable level. Discipline is progressive; that is, subsequent or repeated incidents will attract more severe disciplinary measures. Where inappropriate behaviour or substandard performance is not corrected through the imposition of progressive discipline, or where there is a serious infraction, dismissal will occur.

PROCEDURE

1. Application of Collective Agreements

In so far as the terms of any collective agreement address discipline or dismissal, those terms will supersede this policy statement. Supervisors shall review these agreements before disciplinary action is applied to a bargaining unit member.

2. Responsibility of Supervisors

Supervisors are responsible for monitoring employee behaviour and performance at work, and applying discipline as a corrective measure in an even-handed and consistent manner.

Supervisors are accountable for the completeness and accuracy of documentation which may be relied upon for discipline. Proper documentation is essential to the process of administering fair and reasonable discipline. A systematic and consistent review of job performance is required.

3. **Disciplinary Techniques**

It is essential to give the employees every possible chance to explain their actions so that the supervisor or others investigating are aware of all the facts and circumstances.

Different infractions will attract different degrees of discipline. Some of these are illustrated on the chart in Figure 1.

The infractions shown on the chart are only examples and are not intended to be all-inclusive nor in any way to limit the Town's right to discipline. The disciplinary actions shown for infractions are no more than a guide; they may be reduced or extended as required.

One incident may involve more than one infraction. Following the doctrine of progressive discipline, the degree of discipline will increase with the number of infractions per incident.

The degree of discipline will increase in cases where there is a recurrence of incidents involving similar misconduct.

The ~~Clerk-Administrator~~ **Chief Administrative Officer (CAO)** shall ensure that all disciplinary action is properly documented and recorded in the employee's personnel file.

4. **Involvement of ~~Clerk-Administrator~~**

The ~~Clerk-Administrator~~ **(CAO)** is the senior staff member responsible for human resources. Before an employee is sent a letter of warning or suspension, the ~~Division Head~~ **manager or supervisor** must discuss the content of the letter with the ~~Clerk-Administrator~~ **(CAO)**. Except for staff listed in Section 6, the ~~Clerk-Administrator~~ **CAO** must approve dismissal of any staff, ~~and must sign all related correspondence~~. Any questions regarding disciplinary procedures should be directed to the ~~Clerk-Administrator~~ **CAO**. The ~~Clerk-Administrator~~ **CAO** will inform Council of all dismissals. The ~~Clerk-Administrator~~ **CAO** will inform the Labour Relations Committee of all disciplinary actions. In the absence of the ~~Clerk-~~

~~Administrator~~ **CAO**, urgent disciplinary issues will be dealt with by ~~Council~~ **the CAO designate**.

5. Types of Discipline

A ~~Division Head~~ **manager or supervisor** may, where circumstances warrant, remove an employee from the workplace immediately (i.e., ~~suspend with pay paid~~ **administrative leave**), pending investigation of the circumstances and the possible imposition of disciplinary action.

The following sets out the normal progression of disciplinary measures:

5.1 Oral Reprimand

A supervisor may give an oral reprimand to an employee for minor infractions. Oral reprimands should not normally be given in the presence of other co-workers, except that where a unionized employee is involved, one representative of the union should be present. Oral reprimands shall be ~~noted in the employee's record~~ **placed on an employee's file as a letter of Verbal warning**.

5.2 Letter of Warning

A ~~Division Head~~ **manager or supervisor** may, after discussing the matter with the ~~Clerk-Administrator~~ **CAO**, issue a letter of warning to an employee, which must include:

- a) A description of the infraction(s).
- b) A warning that repetition of the infraction(s) will result in more severe disciplinary action.
- c) In the case of incompetence, a specific time limit must be established during which work is to be brought up to a required standard.

This letter is to be given to the employee within five (5) days of the infraction or culminating incident, or as soon as reasonably possible thereafter. Copies shall be sent to the ~~Secretary~~ of applicable Union, **Representative**, and to the ~~Clerk-Administrator~~ **CAO** for inclusion in the employee's file. The letter must be signed by the ~~Division Head~~ **manager or supervisor**.

5.3 Suspension

If the infraction(s) is deemed serious, a ~~Division Head~~ **manager or supervisor** may, after discussing the matter with the ~~Clerk-Administrator~~ **CAO**, suspend an employee for up to three days without pay. A letter of suspension must be given to the employee, preferably in the presence of a Union representative, and must include:

- a) A description of the infraction(s).
- b) A warning that repetition of the infraction(s) will result in more severe disciplinary action.
- c) The time period that the employee is suspended without pay.
- d) In the case of incompetence, a specific time limit during which the employee must bring his work up to a required standard.

This letter must be signed by the ~~Division Head~~ **manager or supervisor** and given to the employee, preferably in the presence of a Union representative. Copies shall be sent to the ~~Secretary of the~~ applicable Union, **Representative** if any, and to the ~~Clerk-Administrator~~ **CAO** for inclusion in the employee's file.

5.4 **Dismissal**

Where dismissal is warranted by the seriousness of the infraction(s) or the application of progressive discipline, and is recommended by the appropriate **manager or supervisor** and approved by the ~~Clerk-Administrator~~ **CAO**, a letter of dismissal is to be issued promptly to the employee. This letter must be signed by the ~~Clerk-Administrator~~ **manager, supervisor or CAO** and **must** include:

- a) A description of the infraction(s).
- b) A description of disciplinary action taken to date (if applicable).
- c) Notice that the employee is dismissed on a specific date (~~within legal time period~~).
- d) Copies of the letter shall be sent to the ~~Secretary of the~~ applicable Union **representative**, if any, and to Council for information.

6. **Senior Staff**

Discipline of ~~Division Heads~~ **senior staff** is the responsibility of ~~Council~~ **the CAO**, and shall be carried out in a manner consistent with this policy.

Discipline of **senior staff** employees ~~in the positions of Fire Chief, Treasurer, and Director of Planning and Development~~ is the responsibility of the ~~Clerk-Administrator~~ **CAO** except that dismissal in these cases must be approved by

Council upon recommendation by the ~~Clerk Administrator~~ **CAO**.

7. Corrective Action

Corrective or disciplinary action may be taken dependent upon the circumstances of the incident.