



SCHOOL DISTRICT NO. 50 HAIDA GWAI BOARD POLICY MANUAL

POLICY E.3.1 (Formerly 1251)

PROGRESSIVE DISCIPLINE

February 2010

POLICY

The Board of Education expects a high standard of personal performance and conduct from all of its employees and instructs its supervisory staff to deal consistently in cases where reasonable standards are compromised on the job site. An employee must be provided with sufficient notice and awareness that certain behaviours and / or actions are inappropriate and that a positive change is deemed to be necessary. To assist the employee in changing certain behaviours / actions, suggestions for improvement will be provided.

The consistent and uniform application of the following administrative procedure helps ensure that the goal is corrective rather than punitive and results in a written record of counselling given and corrective measures taken.

PROCEDURES

1. Culpable Employee Conduct is such conduct where employee blame for misconduct can be shown while the employee is performing his / her duties for the Board.

Examples include theft, lying, insubordination, consumption of alcohol, and unsafe behaviour. Issues such as unavoidable excessive absenteeism or incompetence may be matters which the employee cannot control and are therefore non-culpable.

2. Guidelines for the Administration of Progressive Discipline

i) Investigations to determine just and reasonable cause must be thorough and must include the opportunity for the employee to respond orally.

ii) When an employee is being disciplined, he / she shall be so informed and if the employee is a union member he / she shall be accompanied by a union representative during formal meetings respecting the incident in question.

iii) If a penalty is warranted, it should be imposed promptly.

iv) Care must be taken to ensure that expected standards and discipline are consistent and impartial to all employees.

v) Arbitrators have established a number of factors that are to be considered for potential mitigation or reduction of the level of disciplinary action to be taken:

- a) the previous good record of the employee;
- b) the long service of the employee;
- c) whether or not the offence was an isolated incident in the employee's employment history;
- d) provocation;
- e) whether the offence was premeditated or committed on the spur of the moment as a momentary aberration or due to strong emotional impulses;
- f) consistency in enforcing code of conduct;
- g) disobedience resulting from misunderstanding the nature or intent of a directive;
- h) the seriousness of the offence in terms of policy or the employee's obligation;



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- i) remorse resulting in the employee apologizing and settling the matter when given the opportunity.

If, for instance, a particular action or culminating incident would normally result in termination of the employee, but due to the above factors, a suspension is given instead, the letter to the employee must so indicate.

- vi) Discipline may begin at any step in the procedure depending on the seriousness of the circumstances.
- vii) The goal of progressive discipline is rehabilitation, not punishment.

Step 1: Oral Warning

- i) Where an unacceptable behaviour occurs, the immediate supervisor shall convene an informal oral conference with the employee to outline the expected standard and detail the employee's failure to meet the standard. Union employees will be accompanied by a representative of the union. This meeting will occur at the end of the day when immediate safety is not a concern.
- ii) A factual record of the incident, including the date, time, place and substance should be retained by the supervisor solely for the purpose of "refreshing the memory" should further action become necessary.
- iii) The supervisor may choose to provide a second oral warning before proceeding to Step 2.

Step 2: Formal Conference

- i) Where an ordinary unacceptable behaviour is repeated, or for a major deviation from an understood standard, a formal conference shall be convened to ensure that:
 - a) reasonable and clear standards are understood;
 - b) unacceptable behaviours are clearly and unequivocally specified; and
 - c) a time frame for correction and evaluation is established.
- ii) The proceedings of this meeting must be documented in a memo to the employee, signed by the employee (or refusal to sign indicated), copied to the Superintendent of Schools or the Secretary Treasurer as appropriate, and to the union when applicable.

Step 3: First Written Reprimand

Should a problem occur / reoccur that merits disciplinary action, the principal / supervisor will meet with the employee and a representative if the employee so chooses (advance notice to be given), in private for a complete discussion and review of the matter. During this discussion the principal / supervisor and the individual concerned will:

- a) identify the problem and review the expectation(s);
- b) evaluate and analyze any alternatives;
- c) select the best solution;
- d) develop an appropriate action and commitment plan including timelines to achieve the established goals.

At this stage, the principal / supervisor will advise the Superintendent or Secretary Treasurer of the corrective action taken.



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To ensure clarity and understanding for both parties, the results of the discussion will be detailed in a written action plan to the employee that clearly indicates that it is a written reprimand. This will be copied to the employee's personnel file and circulated to the Superintendent or Secretary Treasurer. If the employee is a member of the bargaining unit, this letter will be copied to the Union. Written reprimands involving teachers will also be forwarded to the BC College of Teachers.

Step 4: Second Written Reprimand

In the event of a further or more serious incident, the principal / supervisor together with a union representative will again discuss the matter with the individual concerned. The principal / supervisor will further attempt to gain an insight into reasons for the behaviour, explain the need for the expectation and ensure that the person understands the explanation. The principal / supervisor and the individual will again apply themselves to resolving the problem and develop an action plan to do so. The conversation and action plan including timelines will be confirmed in a memo to the employee that clearly indicates that it is a second level written reprimand. Copies will again be forwarded to the employee's personnel file and the union and circulated to the Superintendent or Secretary Treasurer.

Step 5: Suspension

Where unacceptable behaviour is repeated after two letters of reprimand have been filed, the employee may be suspended in accordance with the *School Act* and relevant provision of the Collective Agreements.

The letter of suspension shall outline the length of suspension and include a warning of potential future actions, including the possibility of dismissal if such possibility exists.

Step 6: Further Consequences

Where unacceptable behaviour is repeated after a suspension, the Superintendent or Secretary Treasurer may recommend to the Board that a long-term suspension, demotion, re-assignment or dismissal be imposed on the employee.

Step 7: Termination

Should termination for continued inappropriate actions or behaviour be necessary, it is not to be interpreted as retribution for an undesirable action but is a result of an act or acts which have indicated an individual lacks the necessary self-discipline to work at School District No. 50. Since no positive change in behaviour has taken place and the employee has been given ample assistance and opportunity to reform, it is our belief his / her future behaviour would continue to be troublesome and contrary to the aims and objectives of the District.