



Corporate Policy Manual

Sub Topic:	Progressive Discipline	Policy No.	4-01
Topic:	Employee Relations	Employees Covered:	All Non-Union Regular Full-Time Employees and Regular Part-Time Employees
Section:	Human Resources	Council Adoption Date:	December 12, 2005
Effective Date:	December 12, 2005	Revision No:	Date:

Policy Statement & Strategic Plan Linkages

The Town of Newmarket encourages and supports an effective and productive work environment to set the stage for employee success that ultimately achieves organizational objectives. The Town of Newmarket commits to providing appropriate direction, focus and resources to employees, monitoring and recognizing good performance and addressing situations where employee performance or behaviour is unacceptable.

Purpose

This policy provides the framework for Progressive Discipline, and the process and outcomes of Progressive Discipline.

Definitions

Progressive Discipline

Progressive Discipline is defined as an instructive process structured to reinforce the expected standards with respect to workplace behaviour and to deter inappropriate conduct. It requires the application of sanctions that are increasingly more severe for persistent, unacceptable behaviour.

Progressive Discipline usually progresses as follows:

- verbal warning(s);
- written warning(s);
- period(s) of suspension;
- termination.

The progression of discipline may alter depending on the nature and circumstances of the problem. Steps may be repeated or skipped depending on

the circumstances. Progressive Discipline may include Performance Counselling.

Performance Counselling

Performance Counselling is a session or a meeting between the employee and the manager to communicate standards and expectations in the workplace. Performance Counselling is not discipline but a process to ensure that the employee realizes what the expected standards are, the need to improve, the steps that must be taken and the time frame for improvement. Sometimes, performance counselling may be all that is needed to correct inappropriate behaviour/performance. Performance Counselling would not be appropriate for serious infractions (i.e. assault, theft), or repeat offences etc where performance counselling has already occurred.

It is understood the term “manager” used throughout this document refers to those in a position to effect discipline.

APPLICATION

The policy sets out standards to support a consistent approach to:

- Identify underlying causes contributing to the inappropriate behaviour or performance and to counsel employees to meet the acceptable standards;
- Investigate and/or verify the accuracy of alleged problems of performance or behaviour; and
- Assist managers in decision making and the appropriate actions necessary in the consistent application of Progressive Discipline across the organization.

At each meeting, the manager will notify the employee being disciplined, in writing that repeated occurrences may lead to further action (up to and including dismissal) for continued abuse or disregard of the expected standards/behaviour.

Commissioners/Directors have the authority to apply Progressive Discipline within their respective Department. Decisions to suspend or terminate will be taken in consultation with the CAO and Human Resources.

Commissioners/Directors may delegate the authority for managers and in some cases, supervisors, to administer parts of the Progressive Discipline process.

Responsibilities

Employees are responsible to:

- Be aware of standards including but not limited to federal, provincial and local legislation, Town policies and procedures, departmental policies and procedures and expectations of immediate supervisors;

- Advise their manager if they are having difficulty in carrying out the duties of the job or if they do not have the proper resources;
- Maintain required licences and/or professional designations that are deemed essential for their job;
- Be aware of the consequences of persistent unacceptable behaviour/performance as outlined in this Policy;
- Participate in interviews/investigations;
- Provide written documentation as requested; and
- Inform their manager if there are considerations under the Ontario Human Rights Code.

Commissioners/Directors/Managers/Supervisors are responsible to:

- Provide appropriate direction, focus and resources to employees;
- Monitor and recognize good performance;
- Ensure that employees supervised are provided with clear expectations and standards including but not limited to federal, provincial and local legislation, Town policies and procedures, departmental policies and procedures;
- Complete performance reviews that document performance and conduct;
- Consult with Human Resources prior to initiating Progressive Discipline;
- Address in a timely manner situations where behaviour/performance is not acceptable;
- Respect the rights of employees to request support such as a representative from an employee association, as applicable; and
- Refer to Human Resources Policies and Procedures with respect to employee termination.

Chief Administrative Officer is responsible to:

- Provide appropriate direction, focus and resources to employees;
- Monitor and recognize good performance;
- Ensure that employees supervised are provided with clear expectations and standards including but not limited to federal, provincial and local legislation, Town policies and procedures, departmental policies and procedures;
- Complete performance reviews that document performance and conduct;
- Consult with Human Resources prior to initiating Progressive Discipline;
- Address in a timely manner situations where behaviour/performance is not acceptable;
- Authorize Progressive Discipline, inclusive of termination, except in the case of a Commissioner/Director, which requires Council approval;
- Respect the rights of employees to request support such as a representative from an employee association, as applicable; and
- Refer to Human Resources Policies and Procedures with respect to employee termination.

Human Resources is responsible to:

- Support managers with the performance counselling process;
- Guide the Progressive Discipline process;
- Assist or lead, as appropriate, with interviews and investigations;
- Provide/recommend alternatives as appropriate;
- Ensure documentation is placed in the personnel file;
- Ensure Payroll is advised of Progressive Discipline that impacts an employee's pay or service date;
- Ensure compliance with Employment Standards Act and Regulations and Ontario Human Rights Code; and
- Ensure consistent application of the Progressive Discipline Policy across the organization, inclusive of termination of employment.

Cross-References

Harassment & Discrimination Free Workplace Policy #5-01

Employee Complaint # 4-02

Resignation/Termination of Employment # 4-03

Applicable Provincial and Federal Legislation such as the Employment Standards Act and Regulations and Ontario Human Rights Code as amended from time to time