



# Township of East Zorra-Tavistock

## Human Resources Manual

<b>Title: Disciplinary Policy</b>	
Section: Personnel Policies	Number: 2.03
Version: 2.0	Review Frequency: As required
Approved by: Council, Resolution #2010-01-20.009	Approval Date: 2010-01-20
Application: Council, employees, contractors, volunteers	
Notes:	

### ***Purpose:***

The Township of East Zorra-Tavistock is committed to providing and maintaining a working environment that:

- Is based on respect for the dignity and rights of everyone in the organization;
- That is free of harassment and violence;
- Provides a safe and healthy environment for employees and the public; and,
- Is equitable in the application of policies, procedures, rules and guidelines for all employees in the organization

This policy is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for all in the organization. It is the Township’s goal to recognize behaviour and activities that is in keeping with the expectations of the Township and to provide guidance and corrective action when behaviour is not in keeping with expectations. This policy provides guidance in the following manner:

- Provides a framework for the application of discipline
- Ensures all parties are aware of the policies and procedures with respect to discipline
- Provides direction to Managers and Supervisors with respect to the application of discipline
- Sets out Council’s involvement with respect to the application of discipline
- Incorporates various general workplace policies so employees are aware of expectations

### Principles

- Counselling will be offered, where appropriate, to resolve problems.
- At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.
- At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, if applicable.
- No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

### Corrective Actions

Corrective actions may include one or more of the following, as determined appropriate and lawful:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counselling (“sensitivity training”) or attendance at educational programs
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase, and
- any other disciplinary action deemed appropriate under the circumstances

In all cases, corrective action must be documented in the employees personnel file.

Corrective action would generally be taken by the employee’s immediate Manager and/or Supervisor. Depending on the severity of corrective action required, there may be the need to involve the Chief Administrative Officer.

Corrective action would typically be of an escalating nature; however, based on the severity of the infraction, there may be the requirement to commence action with a more severe disciplinary action. Appendix “A” attached, contains guidelines for corrective action. Depending on the circumstances and severity, these guidelines may be deviated from. For standalone policies, procedures or rules, where corrective action is not contained in the policy, this section would apply, as appropriate.

### **Council involvement in corrective action.**

Individual Councillors do not have the authority to discipline or apply corrective action against an employee

Generally, the whole of Council will not be directly involved in administering corrective action against an individual employee.

The Chief Administrative Officer may, if deemed necessary, consult with Council about corrective action proposed or required. These situations would typically involve Department Heads. The Chief Administrative Officer would also consult with Council on disciplinary action that may involve terminations, for all full-time staff, except in a situation of Gross Misconduct that has been fully investigated.

### **Compliance with Rules, Policies, Procedures**

All employees are to comply with the following items as directed by their Supervisor:

- Departmental Rules and Operating Procedures
- Township Policies and Procedures
- The Township Health & Safety Program
- Township Training Requirements
- General Township Rules, Policies and Procedures attached as Appendix "A"

It is recognized the above items will be amended and added to from time to time. Once employees are instructed in any new or amended items, it is expected that compliance will take place from that time.

### **Gross Misconduct**

The following list provides examples of offences which are normally regarded as gross misconduct:

- theft, fraud, deliberate falsification of records
- deliberate destruction of data and/or information records
- fighting, assault on another person
- deliberate damage to organizational property
- serious incapability through alcohol or being under the influence of illegal drugs\*
- serious negligence which causes unacceptable loss, damage or injury
- serious act of insubordination
- Unauthorized entry to computer records.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organization is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

\*Where substance abuse issues lead to Gross Misconduct, there may be the requirement to consider application of an Employee Assistance Plan and/or professional counselling. Depending on the circumstances, the Chief Administrative Officer may be required to obtain the advice of a Human Resources/Legal Professional.

### **Training and Communication**

The Chief Administrative Officer will develop a program for training and communicating this policy to all affected parties. Employees will receive training during their Employee Orientation and refresher training from time to time. Council will receive training at the start of its term. Any updates and changes will be communicated in an appropriate manner depending on the nature of the change. Ex. Minor revision may be a memo or during refresher training, major changes may require complete retraining for all employees.

### **CAO Program Notes:**

Add to H & S Orientation Policy – List of items to cover

Add to Council Orientation Session

Develop a list of all Policies, Procedures, Guidelines and Rules that could utilize the Disciplinary Policy

**Appendix “A”**

**General Rules, Policies and Procedures, including Corrective Action Guidelines**

<b>General Rules</b>	<b>Corrective Action Guideline</b>
Every employee shall provide his/her immediate supervisor with a doctor's certificate or an acceptable explanation to support their absence from work.	First Occurrence – verbal warning Second Occurrence – written warning Subsequent Occurrences - Other corrective actions
Every employee shall report to work at the time scheduled by the Township.	First Occurrence – verbal warning Second Occurrence – written warning Subsequent Occurrences - Other corrective actions
Every employee must abide by all components of the Township Health & Safety Program.	Appropriate Corrective Action as set out in Policy corrective actions
Unauthorized use of Township Vehicles and/or equipment is prohibited. (No personal use)	First Occurrence – verbal warning Second Occurrence – written warning Subsequent Occurrences - Other corrective actions
Permitting unauthorized people to ride in or on Township vehicles or equipment.(No personal/family use)	First Occurrence – verbal warning Second Occurrence – written warning Subsequent Occurrences - Other corrective actions
Township employees must abide by the “Rules of the Road” (Highway Traffic Act) while operating Township equipment and while using a personal vehicle on Township business.	Appropriate Corrective Action as set out in Policy corrective actions
Employees must report any damage to equipment and/or any accidents to their supervisor.	Appropriate Corrective Action as set out in Policy corrective actions
Employees involved in accidents involving Township Vehicles and/or equipment that are found to be 50%+ at fault.	Appropriate Corrective Action as set out in Policy corrective actions

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<b>General Rules</b>	<b>Corrective Action Guideline</b>
Theft of Township equipment, goods and/or materials	Appropriate Corrective Action as set out in Policy corrective actions
Township employees shall not consume intoxicants or non-prescribed drugs while on duty or on Township property.	Appropriate Corrective Action as set out in Policy corrective actions
Township employees shall not work while under the influence of intoxicants or non-prescribed drugs.	Appropriate Corrective Action as set out in Policy