## PROGRESSIVE DISCIPLINE

[Organization Name] is committed to ensuring that the issuance of informal and formal discipline for employees is facilitated in a respectful manner and via an established process. [Organization Name] has created this progressive discipline policy to outline the steps that would be taken in the case the conduct or behaviour of an employee is worthy of or in need of correction.

This process is designed to alert employees to conduct or behaviours that have been deemed unacceptable and require correction. It is the goal of [Organization Name] that those responsible to facilitate the steps outlined in this policy do so with the aim of encouraging the employee to conduct themselves appropriately and satisfactorily. And our employees, in turn, will then take advantage of the opportunity. The Progressive Discipline Policy outlines the framework for addressing inappropriate behaviours within the workplace and ensuring a fair and consistent approach is in place to address situations quickly.

SCOPE

The terms of this policy apply to all employees of [Organization Name]. Those employees who are both subject to the terms of the policy as well as responsible for administering and facilitating the policy are expected to adhere to this policy's application as outlined (i.e. human resources, managers and supervisors).

POLICY

This policy outlines a fair and consistent approach to discipline within the workplace in the event that [Organization Name] sees conflicting behaviours in the desired workplace atmosphere. [Organization Name] is committed to addressing these situations promptly and appropriately following these guidelines. The policy applies to all employees of [Organization Name] and employees will be made aware of this policy at the time of hire.

**Progressive Discipline Process**

This process was designed to provide a step by step guideline to attempt to correct the conduct and behaviours of employees who do the following, but not limited to:

* Violate company policy;
* Violate health and safety rules and procedures, including workplace violence or harassment;
* Act in manner that is not acceptable or ought to have reasonably been known to be unacceptable;
* Serious performance concerns; or
* Serious infractions that may result in the employee receiving more severe discipline or be terminated with cause.

**Progressive Discipline Steps**

1. Counselling – Non-punitive
2. First Written Warning
3. Second Written Warning
4. Final Written Warning and Possible Suspension without Pay
5. Termination with Cause

*Note: Step 1 (Counselling) is non-punitive. It is the first opportunity for the employer to make the employee aware of a concern, outline suggested remedies, and encourage the employee to succeed. It should be made clear that formal discipline will follow if the employee does not improve. The employee will be provided with a written notice or action plan outlining the requirements they must meet in order to improve their performance or adhere to company policies.*

**Severity of Act and Corresponding Discipline**

Not all improper conduct and behaviour are of the same severity. The discipline must suit the circumstance. Certain actions, in isolation, will not warrant formal discipline; however, the culmination of similar actions may in fact result in discipline as per the terms of this policy. For example, an employee who is late one or two times over the course a few months may not warrant discipline. If the same employee was warned regarding their tardiness and was late a few more times over the next month, the employee may be subject to discipline.

On the other hand, a specific action may be considered relatively more severe than other improper actions worthy of discipline. In these cases, the employer reserves the right to issue a more severe discipline, as per the steps in this policy, or may terminate the employee, in accordance with employment/labour standards. For example, an employee is involved in an argument with another employee and punches the employee.

Supervisors and managers should consult with the employer/human resources before determining and issuing discipline to ensure the discipline provided suits the circumstances. Moreover, it is important to ensure consistency and equity in the issuance of discipline from one employee to another.

**Documentation**

For all steps of the progressive discipline process, a letter or document will be drafted by the employer, or representative, outlining the action that was the cause for the discipline, the disciplinary step taken, expectations the employee must meet to improve and the next step in the discipline process should further discipline be required. In stage 1, the letter should clearly indicate the disciplinary measure is non-punitive.

This letter will be dated and signed by the employer. A copy will be provided to the employee receiving the discipline and a copy will be placed in the employees’ personnel file. The letter will be removed from the employee’s file 18 months after the date of issuance, provided the employee is free from further discipline in those 18 months. Upon each new disciplinary action, the 18-month time period begins anew for existing, active discipline on file.

**Investigations**

Wherever it deemed necessary, the employer will investigate incidents of misconduct or improper behaviour which may result in discipline. During the investigation the employer will make the choice to either keep the employee under investigation in the workplace as well as any other employees that may be victim to or associated with the incident. The employer reserves the right to temporarily move, transfer, or modify the workplace and/or duties of the employee under investigation if said modifications are required for health and safety reasons, the safety of any employee, or to ensure fairness in the investigation. In a case where the employee must be removed entirely from the workplace, the employer may suspend the employee with pay pending the outcome of the investigation. A suspension with pay and/or a modification to the employee’s workplace or duties are non-punitive actions and in no way imply guilt.

**Suspension Without Pay**

In the case of a serious offense or when an employee reaches stage 4 in this process, ‘Final Written Warning,’ the employer reserves the right to suspend the employee without pay. All suspensions will be provided to the employee in writing, inclusive in the final written warning. Suspensions will last a duration of one (1) business day but no longer than (3) days. Upon return to work from suspension, the employee will meet with the employer to outline the required steps to improve and again be made aware of the consequences if further discipline is required. The employer reserves the right to repeat this stage if it is determined that moving to the next step, termination with cause, is not warranted.

**Termination with Cause**

In the case of an employee who has progressed through all the steps as outlined in this policy, the employer may terminate the employee with cause. The employer should outline the reasons for the termination and provide a summary of dates and prior disciplines which culminated into a termination. The employer also reserves the right to terminate without cause. All terminations will be completed in accordance with applicable employment/labour regulations and the organization’s Termination Policy.

**Responsibilities**

Employees

Employees must:

* Ensure they understand and fulfill work expectations;
* Seek help from management if expectations are unclear or support is required;
* Consistently act in a respectful manner towards colleagues, management, and clients;
* Adhere to [Organization Name]’s policies and procedures; and
* Follow all health and safety measures put in place within the workplace.

Managers

Managers must:

* Ensure employees are aware of all workplace expectations for conduct and performance;
* Manage employees effectively, providing ongoing and constructive feedback on work performance and workplace conduct;
* Ensure employees are aware of and then consistently enforce workplace policies and procedures;
* Follow and enforce the Progressive Discipline Policy with respect to employee performance and workplace concerns; and
* Maintain appropriate documentation for disciplinary actions.

**Appeals**

Where an employee feels they have been unfairly disciplined under the progressive discipline framework, they may appeal the decision within 30 days of the disciplinary meeting. Employees must provide solid evidence of the unfair disciplinary measures enacted or provide proof that the concern being disciplined for did not occur as described. Management will review all appeals within a timely manner and provide the employee with a written response to the appeal, including the outcome of the appeal.

**Review**

This policy will be reviewed periodically to ensure compliance with employment/labour standards.