



HUM-007.....Employee Discipline

Current Revision: 31.Jan.00

POLICY

The City has established regulations, procedures and disciplinary measures to enhance orderly, acceptable conduct of municipal staff and ensure fair and consistent treatment of all employees.

DEFINITION

Culminating incident - an incident that, in itself, would not normally result in a dismissal, but in combination with other problems with the employee justifies such action.

OBJECTIVES

1. Promote good employee/employer relations by providing fair and consistent treatment of staff throughout the organization.
2. Ensure that City employees are aware of their obligations as staff.
3. Assist department managers and other City supervisors to motivate their staff.

PROCEDURES

1. The City Manager, in consultation with the Human Resources Director, evaluates and adopts modifications to the City's discipline policy.
2. The Human Resources Director:
 - a) must be contacted prior to any written disciplinary action being taken;
 - b) recommends modifications to the City's discipline policy;
 - c) assists departments in the timely application and monitoring of the current policy and procedures;
 - d) ensures the timely collection and maintenance of permanent records of all disciplinary actions.
3. Department managers:
 - a) are responsible to the City Manager for discipline in their departments;
 - b) ensure that all department employees are aware of all aspects of the City's discipline program;
 - c) recommend to the City Manager modifications to the discipline program;
 - d) in consultation with the Human Resources Director, take appropriate disciplinary action, when required or assist supervisors in disciplinary matters.

4. Supervisors:
 - a) ensure all employees in their charge are aware of the City's discipline policies, procedures and regulations;
 - b) consult with their department managers before taking any disciplinary action.

5. Employee Discipline Records
 - a) Disciplinary action becomes a permanent part of the employee's personnel file for a period of two years. At the end of that time, if the employee is still on the payroll and has a good record for that period, all disciplinary action references are removed from the personnel file.
 - b) Prior infractions older than two years, including falsification of the employment application, must not be used for a disciplinary decision on a current incident, unless related to the current issue.

6. Notice of Discipline or Dismissal
 - a) Other penalties such as disciplinary demotion or transfer, may be imposed. However, the City's ability to unilaterally impose these penalties may be limited by the Collective Agreement. When such penalties are contemplated, the Collective Agreement and the City Manager must be consulted.
 - b) The employee is notified in writing of the discipline or dismissal, using the Employee Warning Notice form available from Human Resources. The department manager and/or the City Manager discusses the discipline or dismissal with the employee.
 - c) Should the disciplined or dismissed employee disagree with the action, a grievance may be presented in writing through the grievance procedure of the Collective Agreement or, for administrative employees, through the proper chain of command.

7. Discipline Records Maintenance
 - a) Incident records must be complete, detailed, and objective.
 - b) Each record must be dated and signed by the supervisor and, where appropriate, by the affected employee.
 - c) The records must state the action taken by the supervisor to remedy the situation.
 - d) The incident(s) and effects or potential effects must be recorded.
 - e) Relevant factors considered in the penalty decision must be specified.
 - f) Previous verbal discussion(s) or warning(s) must be indicated, with dates and other relevant information.
 - g) Employee warning notices are prepared by the supervisor and reviewed by Human Resources.

8. Repeat Offenses and Discipline

In applying City discipline, the following factors, along with other relevant factors, and the nature and severity of the offense, should be considered:

 - a) direct and/or indirect costs to the City;
 - b) the time interval between offenses;
 - c) the length and quality of the employee's service;
 - d) the ability of the employee.

9. Guidelines

The following first-time offenses may constitute grounds for dismissal, however, individual circumstances may require different treatment:

- a) reckless or deliberate neglect or gross negligence in the performance of assigned duties, or in the care, use or custody of City property, abuse or deliberate destruction of any City property, tools, equipment, or the property of employees;
- b) altering another employee's timecard or unauthorized alteration of employee's own timecard;
- c) giving false information on accident investigations or falsifying or assisting in falsifying personnel or other records, including production or work performance reports, or giving false information or withholding relevant information asked for in an employment application;
- d) making false claims or misrepresentations to obtain sickness or accident benefits from WCB;
- e) theft or attempted theft of any City property or that of other employees, or theft from others during the employee's working hours;
- f) possession of narcotics, marijuana or alcohol during working hours;
- g) fighting or attempting to injure another employee;
- h) possession of firearms, explosives, or other weapons on City property at any time, unless authorized by the nature of the position;
- i) knowingly having and keeping secret a communicable disease (e.g. tuberculosis) that could endanger other employees;
- j) conviction for an indictable offense;
- k) Internet misuse or misuse/removal of information such as blueprints, lists, City records, or confidential information of any nature or revealing such information without prior written authorization from the City;
- l) instigating, leading or participating in an illegal walkout, strike, stand-in, or sit-down, refusal to work at the scheduled time on the scheduled shift, or other actions that reduce productivity or interfere with work in or around the City's workstations;
- m) any dishonesty or dishonest action, including, but not limited, to:
 - opening lockers assigned to other employees,
 - opening lunch boxes of other employees,
 - making false statements to get employment, an excused absence, or to justify an absence or lateness,
 - making or causing inaccurate or false reports concerning any absence from work,
 - making or contributing to a false statement concerning any matter pertaining to work or employment;
- n) involvement in any unlawful or improper conduct off the City premises or during non-working hours that affects or tends to affect the employee's relationship to his job, fellow employees, supervisors or the City's products, property, reputation or goodwill in the community;
- o) insubordination by the refusal to perform reasonably assigned work or to comply with written or verbal instructions of the supervisor.