



<b>Title: Discipline Policy</b>	<b>Policy No.: 01-01</b>
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<b>Legislation Reference:</b>	Municipal Government Act, Section 201.
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<b>Purpose:</b>	To promote and ensure appropriate conduct among employees that is fair and consistent of all employees.
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<b>Policy Statement and Guidelines:</b>	
<b>1. OBJECTIVES</b>	
1.1	Encourage positive employee-employer relations by providing for the fair and consistent treatment of employees throughout the municipality.
1.2	Encourage the proper conduct of municipal employees.
1.3	Ensure that all employees of the municipality are aware of their obligations and the consequences of disregarding those obligations.
1.4	Ensure that employee misconduct is dealt with in an appropriate manner.
1.5	No employee shall be disciplined or dismissed without just cause.
<b>2. RESPONSIBILITIES</b>	
<u>Chief Administrative Officer:</u>	
2.1	Recommend changes to the Discipline Policy where considered appropriate.
2.2	Take appropriate corrective action in accordance with the Discipline Policy.
2.3	Advise managers in the application and monitoring of the Discipline Policy.
2.4	Ensure that a thorough investigation of the facts has been carried out.

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Policy Statement and Guidelines:	
2.5	Review case with the Union Executive, where applicable.
2.6	Ensure that a copy of all correspondence is maintained in the employee file.
	<u>Managers:</u>
2.7	Ensure that all employees are aware of the municipality's Discipline Policy.
2.8	Be responsible to the Chief Administrative Officer for necessary corrective action in their respective departments.
2.9	Be aware of the "Right of Representation" for union employees with International Union of Operating Engineers Local 955 and Canadian Union of Public Employees Local 4575.
<b>3. PROCEDURE</b>	
Disciplinary action will be dependent upon the severity, intent and frequency of the offence. Other factors including, but not limited to, length of employment, employee's record and position will be taken into account.	
<u>Action by Chief Administrative Officer and Manager:</u>	
3.1	Determine the facts of the case and participate in a thorough investigation, including an interview with the employee.
3.2	Document and discuss all disciplinary action with the employee as soon as possible.
3.3	Inform the employee that a copy of the interview and/or letter are on the personnel file.
3.4	Ensure that all written documentation, including documented facts of verbal warning, are included on the personnel file.
3.5	Managers to communicate the decision or recommendation to the Chief Administrative Officer as soon as possible.

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Policy Statement and Guidelines:

**4. LEVELS OF DISCIPLINE**

The following steps outline discipline stages, subject to circumstances of the infraction.

4.1 **Verbal Warning: SCHEDULE "A"**

The manager outlines the circumstances leading to discipline and verbally warns the employee that should the offence reoccur, the employee shall be given a warning letter. A summary of the interview (*Schedule "A"*) must be prepared and forwarded to the Chief Administrative Officer for inclusion on the personnel file.

Verbal Warnings are documented and placed in the personnel file, but it does not count as cause towards termination.

4.2 **Written Warning: SCHEDULE "B"**

Should an incident arise that is considered serious enough to warrant immediate delivery of a written letter or should a previous offence reoccur, the manager shall meet with the employee and present a letter outlining the circumstances.

The employee must be advised that should the offence reoccur the employee could be subject to further disciplinary action up to and including dismissal. A copy of the letter shall be forwarded to the Chief Administrative Officer for inclusion on the personnel file.

4.3 **Suspension: SCHEDULE "C"**

Should a previous offence reoccur or should an incident occur that warrants immediate suspension without pay, the manager shall review the number of days suspension with the Chief Administrative Officer.

The length of suspension depends on the severity of the offence and must be agreed upon by the manager and the Chief Administrative Officer. The suspension shall be documented and a letter given to the employee advising that should the offence occur again the employee will be dismissed.

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**Policy Statement and Guidelines:**

4.4 **Termination: SCHEDULE "D"**

If the employee's behaviour has been severe enough or does not change, pursuant to this Policy, a recommendation shall be made to the Chief Administrative Officer for dismissal of the employee.

It shall be conveyed to the employee that the employee brought the action on him/herself and left the Chief Administrative Officer with no other alternative.

Details of the employee's behaviour and culminated offences leading to the dismissal shall be documented in a letter handed to the employee, c.c. forwarded to the union, where applicable. For managers, the recommendation for termination shall be made by the Chief Administrative Officer to Council.

4.5 Ensure that all levels of discipline: *Schedule A, B, C & D* cover the following five elements:

1. Description of the unsatisfactory performance or conduct.
2. Statement of what the employee must (or must not) do to correct the performance or misconduct.
3. Description of the action that may be taken if the problem is not corrected.
4. Information about appeal rights.
5. A list of attached documents that were considered in the decision to issue that Letter of Warning (*i.e., performance evaluations, rules or policies, memos*).

**5. RECORD OF WORKPLACE STANDARDS**

5.1 Records of any corrective action taken shall be added to the employee's personnel file and will be reviewed after two calendar years.

5.1.1 An employee who has been subject to disciplinary action, may after two calendar years of disciplinary-free service, from the date of the disciplinary action, request his/her personnel file be purged of any record of the disciplinary action.

5.2 The Union will be notified, where applicable.

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<b>Policy Statement and Guidelines:</b>	
<b>6. RECORD MAINTENANCE</b>	
The following points shall be emphasized with respect to records detailing corrective action:	
6.1	The records describing the incident shall be as complete and as detailed as possible.
6.2	The records must be dated and signed by the Chief Administrative Officer, Manager and, where appropriate, by the employee affected.
6.3	The records shall state the action taken by the Chief Administrative Officer and/or Manager to address the situation.
6.4	The incident(s), as well as the effects or potential effects of the incident(s), shall be recorded.
6.5	Those factors which were considered relevant to the degree of action taken must be specified.
6.6.	Any verbal discussion or reprimands given previously must be indicated, as well as specific dates and other relevant material.
<b>7. APPEAL RIGHTS</b>	
In the event of discipline or termination of the employee; the employee has the right to appeal. The employee's right to appeal expires after <b>15 days</b> from the date of discipline or dismissal, or as per their respective collective agreement.	
7.1	<b>Union Employees:</b> As outlined in the collective agreement with their respective unions:
7.1.1	International Union of Operating Engineers Local 955.
7.1.2	Canadian Union of Public Employees Local 4575.
7.2	<b>Non-Union Employees:</b> The employee may submit an appeal in writing to the Chief Administrative Officer.
7.3	<b>Managers:</b> The employee may submit an appeal in writing to the County Council. Council's decision is final.

	<b>Date</b>	<b>Resolution Number</b>
<b>Approved</b>	<b>August 16, 2007</b>	<b># 532-07 - Page 8412</b>
<b>Amended</b>		
<b>Amended</b>		



# SCHEDULE "A" SMOKY LAKE COUNTY

## EMPLOYEE VERBAL WARNING NOTICE

<b>Employee Name:</b>	<b>Employee Number:</b>
<b>Job Description:</b>	<b>Department:</b>
<b>Title:</b>	<b>Date of Notice:</b>
<b>Incident Occurred on:</b>	
<b>Date:</b>	
<b>Time:</b>	
<b>Place:</b>	

### Manager Explanation

1. Description of the unsatisfactory performance or conduct.

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2. Statement of what the employee must (or must not) do to correct the performance or misconduct.

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**EMPLOYEE VERBAL WARNING NOTICE: Page Two**

**Manager Explanation**

3. Description of the action that will be taken if the problem is not corrected.

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4. Information about appeal rights.

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5. A list of attached documents that were considered in the decision to issue the letter of verbal warning (e.g., performance evaluation, rules or policies, memos).

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*Note: Attach separate page if needed for more detailed explanations.*

**Employee Comment:**

<b>Employee's Signature:</b> <i>(To indicate receipt of document)</i>	<b>Date:</b>
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<b>Chief Administrative Officer/ Manager's Signature:</b>	<b>Date:</b>
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**SCHEDULE "B"**

**LETTER OF WARNING**

Date:

Name

Address Postal Code

Dear:

**Re: Letter of Warning**

In accordance with (*Article 18 of International Union of Operating Engineers Local 955*), (*Article 20 of the Canadian Union of Public Employees*) of the collective agreement, this letter serves as a written warning as a result of your violation of the County’s work rules regarding:

1. Description of the unsatisfactory performance or conduct;
2. Statement of what the employee must (or must not) do to correct the performance or misconduct;
3. Description of the action that may be taken if the problem is not corrected.
4. Information about appeal rights.
5. A list of attached documents that were considered in the decision to issue the Letter of Warning (*i.e. performance evaluations, rules or policies, memos*).

From this date forward, you are expected to\_\_\_\_\_.  
Further incidents of this nature will result in more severe disciplinary action being taken, up to and including discharge.

This letter will be entered into your personnel file for two years from today’s date, in accordance with (Article 18) (Article 20).

If there are any personal concerns you wish to discuss, please feel free to contact me.

Sincerely,

Name: *Chief Administrative Officer/Manager*

cc: Personnel File of (Name)  
Union Local



**SCHEDULE “C”****LETTER OF SUSPENSION**

Date

Name

Address Postal Code

Dear:

**Re: Letter of Suspension**

In accordance with (*Article 18 of International Union of Operating Engineers Local 955*), (*Article 20 of the Canadian Union of Public Employees*) of the collective agreement, this letter serves notice that you will be serving a (*# days*) suspension on (*date*) for the following reasons:

1. Description of the unsatisfactory performance or conduct;
2. Statement of what the employee must (or must not) do to correct the performance or misconduct;
3. Description of the action that may be taken if the problem is not corrected.
4. Information about appeal rights.
5. A list of attached documents that were considered in the decision to issue the Letter of Suspension (*i.e. performance evaluations, rules or policies, memos*).

I have taken all of your explanations for your behavior into account, and I have decided that you must serve a (*# days*) suspension without pay (*date*). On the following day (*date*), you shall report to work at your usual time.

This suspension should serve as a strong warning that your conduct will continue to be monitored and that another incident of this nature will result in more severe disciplinary action, up to and including termination.

If you require assistance, in future, please contact me.

Sincerely,

Name: *Chief Administrative Officer/Manager*

Cc: Personnel File of (Name)  
Union Local

## SCHEDULE "D"

# LETTER OF TERMINATION

Date

Name

Address

Postal Code

Dear:

**Re: Letter of Termination**

In accordance with (Article 18 of International Union of Operating Engineers Local 955), (Article 20 of the Canadian Union of Public Employees), of the collective agreement, this letter serves to indicate that you are being dismissed immediately.

1. Description of the unsatisfactory performance or conduct;
2. Statement of what the employee must (or must not) do to correct the performance or misconduct;
3. Description of the action that may be taken if the problem is not corrected.
4. Information about appeal rights.
5. A list of attached documents that were considered in the decision to issue the Letter of Suspension (*i.e. performance evaluations, rules or policies, memos*).

As a consequence, I am relying upon article \_\_\_\_\_ of the collective agreement, which identifies, "***just cause***" as triggers for an immediate suspension or dismissal. Considering the seriousness of your employment offense \_\_\_\_\_ you are hereby terminated.

Please note that your next paycheck will be forwarded to your home address. After today, you will no longer be paid, nor will the standard statutory deductions be made. Note, also that you will no longer be entitled to any benefits under our insurer's package, subject to benefit plan provisions, effective today. The employee is to check with the benefit plan carriers.

Sincerely,

Cary Smigerowsky  
Chief Administrative Officer

cc: Personnel File of (Name)  
Union Local