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## **Purpose/Background**

Rocky View Schools (RVS) uses progressive discipline to address performance, conduct, and policy violation issues. Progressive discipline is a series of increasingly escalated stages, ranging from informal verbal warnings or discussions to formal disciplinary meetings up to and including dismissal with cause, that a supervisor initiates to correct unacceptable work performance, behaviour, or conduct. The goal of progressive discipline is to allow employees to correct issues or concerns that may arise. RVS strives to work with employees regarding issues in the workplace but also needs to hold employees to a high standard of performance and conduct. A progressive, multi-step disciplinary process has been implemented as follows:

## **Procedures**

1. In the event it becomes apparent an employee is not meeting acceptable standards of conduct and behavior, the first step is to obtain advice as needed. The Supervisor shall initiate discussion with the Director or Associate Superintendent of Human Resources regarding the type of disciplinary action required and whether a full investigative process is to proceed.
2. The RVS Progressive Discipline Procedure shall follow the following steps:
  - 2.1. Informal verbal warning or discussion
  - 2.2. Formal disciplinary meetings which include:
    - 2.2.1. Formal warning/Letter of Concern
    - 2.2.2. Letter of Reprimand
    - 2.2.3. Suspension
    - 2.2.4. Dismissal

## **Informal Verbal Warning or Discussion**

3. The informal step is a verbal warning or discussion between the employee and their immediate supervisor which will occur as soon as possible following the identification of a performance issue. The verbal warning or discussion will include a description of performance issues and how the employee can correct the situation. The supervisor may choose to informally document the discussion on a *Notice of Disciplinary Action Form* (Appendix B). It is the responsibility of the Supervisor to document the verbal warning or discussion to include the details of the discussion and the date and time it occurred.

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### **Formal Disciplinary Meetings**

4. Upon notification of the formal disciplinary meeting the employee will be advised of the right to have a representative present at such meetings.
5. In general, there are four stages within the formal Progressive Discipline Procedure:
  - Stage 1 – Formal warning/Letter of Concern
  - Stage 2 – Letter of Reprimand
  - Stage 3 – Suspension
  - Stage 4 – Dismissal
6. Depending on the severity of the infraction, it may be appropriate to repeat any of the first four stages. In the event of severe infractions, it may be appropriate to begin at stages 2, 3, or 4. The facts of the circumstances of individual situations may dictate stages that vary in some respect to what is set out in this procedure.

### **Stage 1 – Formal Warning/Letter of Concern**

7. If an employee's behaviour does not improve or depending on the nature or severity of the infraction, HR, in consultation with the Supervisor, may deem a letter of concern is required.
8. Stage 1 of the Progressive Discipline Procedure is a formal documented meeting between the employee and their immediate supervisor. The supervisor may choose to have another supervisor present to act as a witness. This meeting will occur as soon as possible following the identification of a performance issue. The employee will be invited to have a representative at the meeting. The discussion will include a description of the performance issue, how the employee can correct the situation and potential future consequences.
9. The Supervisor shall contact the Director of HR for a templated letter of concern and assistance in drafting the letter. The employee will be provided with an opportunity for discussion at this meeting. The letter of concern may state:
  - what the employee did wrong;
  - what the employee should have done;
  - reference to any previous disciplinary action;
  - corrective action to be taken; and
  - the potential future consequences.
10. The employee will be provided with a copy of the Progressive Discipline Procedure at this stage. The letter will be provided to the employee and a copy sent to the Associate Superintendent of Human Resources and placed on the employee's personnel file.

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### **Stage 2 – Letter of Reprimand**

11. If an employee's behaviour does not improve or depending on the nature or severity of the infraction, HR, in consultation with the Supervisor, may deem a letter of reprimand is required.
12. At stage 2 of the Progressive Discipline Procedure a Letter of Reprimand will be issued to the employee during a meeting led by the Director of HR or designate and attended by the Supervisor. This meeting will occur as soon as possible following the identification of a performance issue. The employee will be invited to have a representative at the meeting. The discussion will include a description of the performance issue, how the employee can correct the situation and potential future consequences.
13. The Supervisor shall contact the Director of HR for a templated letter of reprimand and assistance in drafting the letter. The employee will be invited to have a representative at the meeting. The letter of reprimand may state:
  - what the employee did wrong;
  - what the employee should have done;
  - reference to any previous disciplinary action;
  - corrective action to be taken; and
  - the potential future consequences.
14. The Letter of Reprimand will be signed by the Director of Human Resources or designate. The employee will be provided with a copy of the Progressive Discipline Procedure at this stage. The letter will be provided to the employee and a copy sent to the Associate Superintendent of Human Resources and placed on the employee's personnel file.

### **Stage 3 – Suspension**

15. If an employee's behaviour does not improve, or if there is a significant issue that requires disciplinary action of a serious nature, the employee may be suspended with or without pay. A disciplinary suspension is a temporary removal of the employee from the workplace which is imposed by the employer as a disciplinary consequence.
16. At stage 3 of the Progressive Discipline Procedure a letter of suspension will be issued to the employee during a meeting led by the Associate Superintendent of HR or designate and attended by the Director of HR or designate and the Supervisor. This meeting will occur as soon as possible following the identification of a performance issue. The employee will be invited to have a representative at the meeting. The discussion will include a description of the performance issue, how the employee can correct the situation and potential future consequences.

17. The letter of suspension will be written by Human Resources. The letter of suspension will be on RVS letterhead and signed by the Associate Superintendent of HR or designate. The letter of suspension may state:
  - what the employee did wrong;
  - what the employee should have done;
  - reference to any previous disciplinary action;
  - corrective action to be taken;
  - the potential future consequences; and
  - the effective date of the suspension with or without pay.
18. The employee will be provided with a copy of the Progressive Discipline Procedure at this stage. The letter will be provided to the employee and a copy placed on the employee's personnel file.

#### **Stage 4 – Dismissal with Cause**

19. Dismissal with Cause is the most severe disciplinary action and one that must be used only when the employer is satisfied that all other types of discipline failed to correct the employee's behaviour, or if there is a significant issue or incident which is cause for dismissal.
20. The purpose of dismissal is to terminate the employment relationship when corrective efforts have failed, and improvement no longer seems reasonably possible or when the conduct or action of the employee is so grave that it has caused irreparable damage to the employment relationship.
21. The supervisor **MUST**:
  - consult with the Associate Superintendent of HR;
  - demonstrate that the employee knew what was expected; and
  - demonstrate that the employee was informed verbally and in writing of the behaviour or performance issues or demonstrate that the conduct or action was so grave or serious that it caused irreparable damage to the employment relationship.
22. The Associate Superintendent of HR will recommend, and the Superintendent of Schools will approve the final decision regarding dismissal with cause.
23. A formal disciplinary meeting will be convened, the meeting will be led by the Associate Superintendent of HR or designate, or Superintendent of Schools as required, and attended by the Director of HR or designate. The Supervisor may be present at the dismissal meeting. The employee will be invited to have a representative at the meeting. At the meeting, the employee will be told of the decision of dismissal and the reasons for the decision and will be provided with a letter informing them of the details of the

dismissal. The dismissal letter will be signed by the Associate Superintendent of HR or designate and will be placed on the employee's personnel file.

24. The employee shall receive a Record of Employment, relevant information regarding salary, benefits and vacation pay, and any outstanding monies owed to the individual by RVS.
25. The employee shall surrender any RVS property following their dismissal as soon as possible.

### **Mitigating Factors**

26. The following factors such as may be considered by HR regarding the stage of formal discipline to begin at:
  - 26.1. Effect or Potential Effect of Offense: If the effect or potential effect of an employee's actions is significant, the disciplinary action will tend to be more severe and will be a higher stage. Factors to consider include harm or potential harm to a student or colleague, safety implications, impact of the trust the Supervisor has in the employee, amount and value of damage caused, impact on the school's or Division's image, to the public, and the level of employee's responsibility and general degree of negligence.
  - 26.2. Prior Warnings and/or Documentation: Where an employee has previously received correction for an offense, more severe action should result for a future occurrence of a similar nature.
  - 26.3. Impulsive versus Premeditated Acts: In addition to considering all other factors, one would judge that a premeditated act would result in a more severe disciplinary action than an impulsive act.
  - 26.4. Provocation: The determination of whether or not an employee was provoked into action may affect the degree of disciplinary action applied. While provocation does not absolve the employee of responsibility for their actions, the existence of provocation is to be included in the content of any documentation.
  - 26.5. Misunderstanding: Where an employee is involved in a breach of policy or procedure or provides poor performance, the Supervisor is to make a reasonable effort to ensure the employee is aware of and understands what is expected of them. Lack of knowledge and/or understanding of what is expected in certain situations may indicate that a lower stage of disciplinary action is more appropriate.
  - 26.6. Uniformity of Application: It is extremely important the disciplinary action for similar offenses in similar circumstances be applied consistently for two reasons:
    - 26.6.1. The employee's reaction will be more favorable with the knowledge the discipline is applied fairly and consistently to all employees.

26.6.2. Disciplinary action must be viewed as consistent when compared with discipline given to other employees for similar infractions. Supervisors who apply disciplinary action inconsistently may have this fact alluded to as part of the written response attached by an employee to their letter.

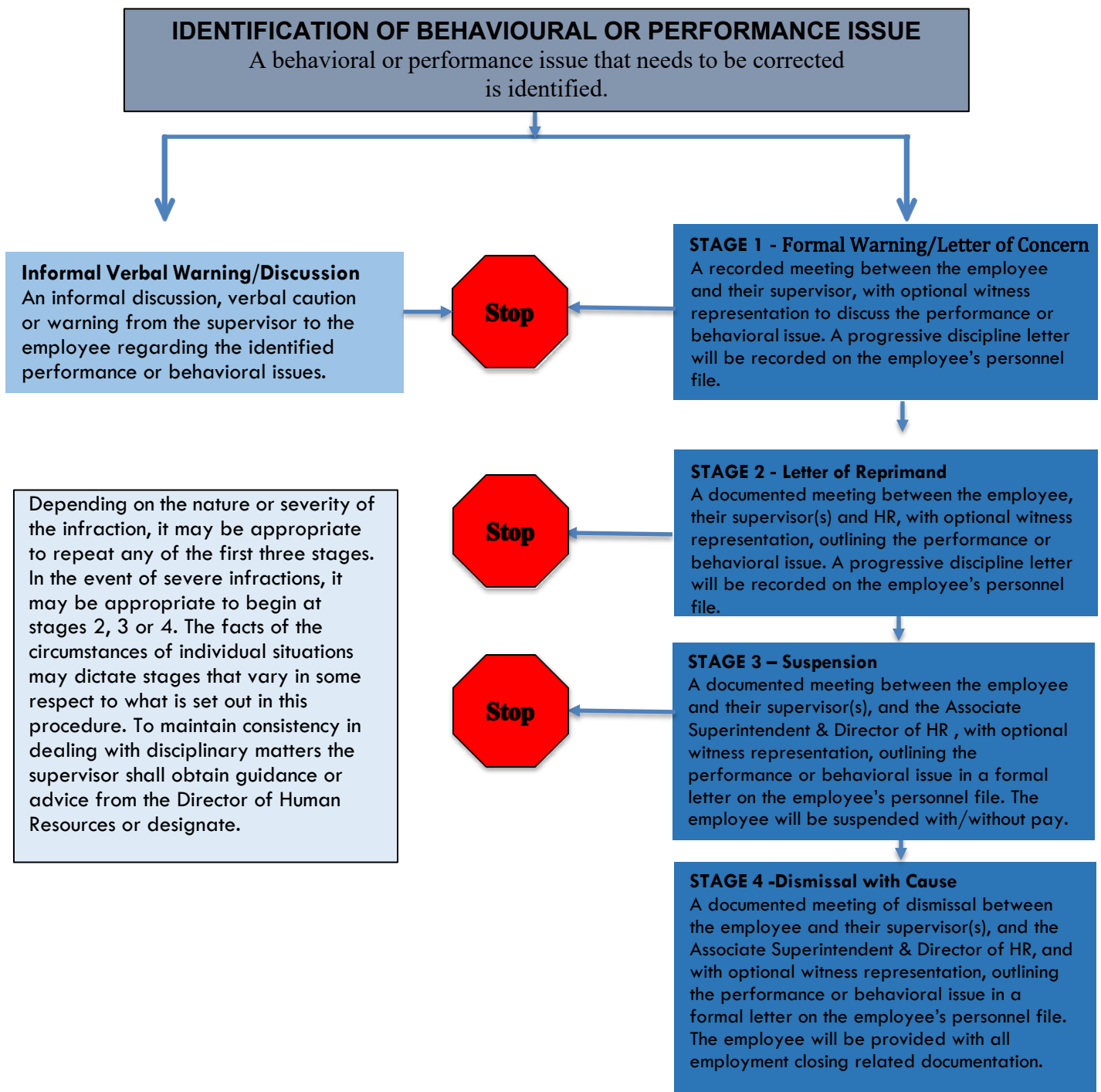
26.7. Mitigating and/or Aggravating Circumstances: Where mitigating or aggravating circumstances do exist and enter into consideration of the degree of disciplinary action applied, such circumstances must always be fully documented. This will show why a supervisor utilizes a stage more or less severe than the general standard and will assist in maintaining a consistent approach to the use of discipline.

### **Appeals**

27. If an employee feels that they have been wrongfully accused, or disciplined, they may file a written appeal within 30 days of date of discipline letter with the Associate Superintendent of Human Resources. Written appeals must contain:
- details of the discipline;
  - events surrounding the discipline; and
  - why the employee feels the discipline is unwarranted or inappropriate.
28. The Associate Superintendent of HR shall review and respond to all written appeals within 30 business days.

**Appendix A – EMPLOYEE PROGRESSIVE DISCIPLINE FLOWCHART**

The progressive discipline flow chart is provided as visual guide, clearly identifying what happens at each stage of the progressive discipline procedure



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**Appendix B – Notice of Action**  
***Informal Verbal Warning***

**Issued to**

Name:		Date of Issue:	
Position:		Department/Location:	

Disciplinary action taken for the following reasons (include date of occurrence):

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History of occurrence (include date and explanation of previous disciplines and past corrective action taken):

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Expected performance/acceptable behaviour:

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Future Expectations:

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**FURTHER INFRACTIONS MAY RESULT IN FURTHER DISCIPLINE UP TO AND INCLUDING DISMISSAL**