

## **PROGRESSIVE DISCIPLINE FOR BOARD EMPLOYEES**

### **POLICY**

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#### **1.0 PRINCIPLES**

- 1.1 The Halifax Regional School Board is committed to providing a high standard of professional services to the public.
- 1.2 The Board believes that its employees are committed to acting professionally with integrity and in the best interests of the students and the Board.
- 1.3 The Board is committed to improving employee performance through evaluation and professional development.
- 1.4 The Board is committed to ensuring acceptable employee conduct and performance of all employees.
- 1.5 The Board believes that discipline is based on the concept that disciplinary action is to be progressive based on the seriousness and/or repetition of unacceptable conduct or performance.
- 1.6 The Board believes that fair and thorough investigation and diligent record keeping throughout the disciplinary process are essential.

#### **2.0 POLICY FRAMEWORK**

- 2.1 The Halifax Regional School Board is committed to ensuring that progressive discipline for board employees is in accordance with the following acts and policies:
  - 2.1.1 Diversity Management Policy
  - 2.1.2 Harassment Policy
  - 2.1.3 Principal and Vice Principal Appraisal Policy
  - 2.1.4 Supervision and Appraisal for School-Based Teaching Staff Policy
  - 2.1.5 Nova Scotia *Education Act*

2.1.6 Nova Scotia *Human Rights Act*

2.2 The Halifax Regional School Board is committed to ensuring that progressive discipline for employees is in accordance with all terms and conditions of employment, including collective agreements.

### **3.0 AUTHORIZATION**

3.1 The Superintendent is authorized to develop and implement procedures in support of this policy.

### **4.0 POLICY REVIEW**

4.1 This policy will be reviewed every five years or on an as needed basis.

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**1.0 PROGRESSIVE DISCIPLINE**

- 1.1 Progressive Discipline may consist of disciplinary action ranging from a verbal warning to a written warning to varying levels of suspension, demotion and, ultimately, discharge.
- 1.2 The following factors may be considered when determining the appropriate level of disciplinary action:
  - 1.2.1 The severity and nature of the unacceptable conduct and/or behaviour;
  - 1.2.2 The employee's previous discipline record;
  - 1.2.3 The employee's length of service with the Board;
  - 1.2.4 Any progressive discipline steps taken to date;
  - 1.2.5 Any precedent of other discipline for similar incidents (through consultation with Human Resource Services);
  - 1.2.6 The employee's rehabilitative potential (honesty, remorse, medical or rehabilitation treatment such as counseling);
  - 1.2.7 The employee's extenuating circumstances.

**2.0 UNACCEPTABLE CONDUCT**

- 2.1 Employees will be informed of unacceptable conduct or behaviour.
- 2.2 Discipline imposed will be progressive in nature; however, when necessary, discipline may not be progressive due to the severity of the unacceptable conduct.
- 2.3 All instances of discipline will be documented in a consistent manner.

### **3.0 UNACCEPTABLE PERFORMANCE**

- 3.1 Unacceptable performance does not include intentional or deliberate misconduct or behavior.
- 3.2 Employees will be informed of unacceptable performance and will have an opportunity for improvement.
- 3.3 Discipline imposed will be progressive in nature; however, when necessary, discipline may not be progressive due to the severity of the unacceptable performance.
- 3.4 All instances of unacceptable performance will be documented in a consistent manner.

### **4.0 RESPONSIBILITY FOR PROGRESSIVE DISCIPLINE**

- 4.1 The immediate supervisor has first responsibility for progressive discipline. The immediate supervisor shall consult with the appropriate Human Resource Services manager before the imposition of progressive discipline.
- 4.2 In the event that the immediate supervisor is unable to deal with the unacceptable conduct or performance, the next level supervisor will assume the responsibility for progressive discipline.
- 4.3 The immediate supervisor has responsibility to issue verbal and written warnings to employees.
- 4.4 The Governing Board has responsibility for the suspension and discharge of teachers.
- 4.5 The Director, Human Resource Services, has responsibility for all other discipline that does not fall under 4.3 and 4.4.

### **5.0 PROCESS**

- 5.1 When considering disciplinary action for unacceptable conduct, the immediate supervisor shall:
  - 5.1.1 Meet with the employee and allow for Union representation when required by the collective agreement;
  - 5.1.2 Clearly identify the conduct of concern;

- 5.1.3 Ensure that the employee is given opportunity to provide an explanation for the conduct or behaviour;
  - 5.1.4 Conduct a thorough investigation to confirm or deny that the unacceptable conduct has occurred;
  - 5.1.5 If warranted, issue disciplinary action and inform the employee of the consequences if the conduct or behaviour is not resolved;
  - 5.1.6 Document the disciplinary action and record it on the employee file stored with Human Resource Services.
- 5.2 Where the immediate supervisor witnesses the unacceptable conduct or behaviour directly an investigation may not be required.
- 5.3 When considering disciplinary action for unacceptable performance for teachers, the immediate supervisor shall follow the Evaluation and/ or Performance Review processes outlined in the Supervision and Appraisal for School-Based Teaching Staff Policy.
- 5.4 When considering disciplinary action for unacceptable performance for Principals and Vice Principals, the immediate supervisor shall follow the Principal & Vice Principal Appraisal Policy.
- 5.5 When considering disciplinary action for unacceptable performance for all employees not covered in 5.3 or 5.4, the immediate supervisor shall:
- 5.5.1 Meet with the employee and allow for Union representation when required by the collective agreement
  - 5.5.2 Clearly identify the performance issue(s) of concern;
  - 5.5.3 Give reasonable supervision and instruction to the employee and afford the employee a reasonable opportunity to meet the expected level of job performance required;
  - 5.5.4 Establish an inability on the part of the employee to meet the level of job performance required;
  - 5.5.5 Inform the employee of the consequences if the unacceptable performance is not resolved;
  - 5.5.6 If warranted, issue disciplinary action;
  - 5.5.7 Document the disciplinary action and record it on the employee file stored with Human Resource Services.
- 5.6 A supervisor may vary the order of the responsibilities in 5.1 and 5.5 as appropriate and upon recommendation from the Human Resource Services Department.
- 5.7 A supervisor may introduce additional information at any stage of the processes outlined in 5.1 and 5.4 so long as the employee is made aware of the information and is given a reasonable opportunity to respond to it.