

Staff Suspension, Termination, Demotion or Re-assignment

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Policy Statement

It is the desire of the Board that there be a formal and fair procedure for discipline, demotion, reassignment, suspension or termination of an employee whose conduct, performance or suitability does not satisfy the objectives or standards established for Beaver Regional Waste Management Services Commission (BRWMSC) employees.

The Board further believes that it is the responsibility of management and supervisors through regular evaluation, applying the principle of progressive discipline in a flexible and contextual manner, to provide employees with ongoing communication regarding progress toward organizational principles, objectives and targets, in line with the organization's mandates and its Performance Management and Pay-for-Performance (PM-PP) programs.

Beaver Municipal Solutions has adopted a policy based on progressive discipline to ensure that in appropriate circumstances, employees have the opportunity to correct any performance or behavioral problems that may arise. Beaver Municipal Solutions has established a set of reasonable rules and guidelines for employees to follow. These have not been put in place to restrict the freedoms of our employees or the discretion of supervisors and managers, but rather they are in consideration of their safety, and the overall protection of Beaver Municipal Solutions employees, property, and our business practices.

Guidelines

1. Through the General Manager, managers and supervisors shall ensure that the principle of progressive discipline is handled in a fair, consistent and contextual manner. Managers and supervisors have the authority to discipline employees, in accordance with this Policy. With respect to this Policy, a manager or supervisor is considered to be an employee who approves the timecards of subordinate employees.
2. **Progressive Discipline Process**
 - a. In the event that an employee of Beaver Municipal Solutions is evaluated as not performing to organization expectations, violates company policy or exhibits problematic conduct or behavior, a contextual system of progressive discipline shall be utilized.
 - b. Employees who are evaluated to be missing organization performance expectations will typically be given an opportunity to correct their performance gaps through an approved Performance Improvement Plan (PIP). The PIP is a formal, structured plan developed

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between the employee and management with a clear goal to have the employee rectify noted performance gaps. The PIP is expected to be completed over a defined period of time and will require coaching resources from management, as well as possible external mandatory employee training. Section 7 of this Policy provides additional information. Unsuccessful completion of a PIP by the employee within the defined period, will lead to the employee's termination of employment. The employee termination must be approved by the General Manager.

In the case of misconduct or behaviour in violation of organization policies and rules, the employee will typically have up to two opportunities to correct the unwanted behavior, unless the misconduct or behaviour is one of a severe nature, in which case, progressive discipline can be accelerated to match the violation. The disciplinary steps are:

- i. Written Warning - formal
- ii. Final Written Warning with Suspension - formal
- iii. Termination

Warning letters can be issued by the employee supervisor or manager. Terminations must be approved by the General Manager.

In the event of policy and rule violations with a written warning and/or a final warning, employees must be referred to the organization's Employee Assistance Program, as appropriate (see Progressive Discipline chart examples).

- c. With each violation, the employee will be provided with a written warning which will:
 - i. advise them of the misconduct or behaviour observed;
 - ii. provide a reiteration of the correct company policy or rule regarding the violation;
 - iii. state the details of the suspension, if applicable;
 - iv. advise them of the consequences associated with further infractions;
 - v. provide a suggestion towards a method of improvement, including participation in the Employee Assistance Program.
- d. All formal warnings and PIPs will be maintained on the employee's file indefinitely. An employee may request that a record relating to the imposition of discipline which is older than 24 months without further discipline being imposed be removed from the employee's file. A supervisor or manager may consider such request and, based on all of the relevant circumstances, grant or refuse such request.
- e. Degrees of discipline shall be used in relation to the problem at hand. As the situation dictates, based on the past performances of the employee, and the seriousness of the violation, Beaver Municipal Solutions reserves the right to move straight to termination of employment where necessary.
- f. Immediate dismissal may result in situations where clear violation of rules and or expectations have occurred, including Occupational Health and Safety Rules Section 1.6 of the Health and Safety Manual, Grounds for Dismissal – see attached. (also see Progressive Discipline Levels chart examples)

3. Progressive Discipline Levels

This policy contains an attached Progressive Discipline Levels chart. The table outlines the progressive discipline steps for common workplace issues. The chart provides clear examples of unacceptable offences and the resulting violation in general terms. The chart does not contain all offences and depending on the nature and severity of the offense, Beaver Municipal Solutions reserves the right to advance discipline to a higher level.

4. Investigation and Documentation

All violations or alleged violations will be properly investigated and documented by a manager, in consultation with Human Resources. All formal measures that have been taken within the progressive discipline process will be documented and kept in the employee's personnel file.

5. Suspension and Review Period

During the final written warning, an employee will be suspended.

- a. Suspension: Employees put on suspension will be excluded without pay from the workplace for an appropriate period of time depending on the violation. Employees cannot use vacation or sick leave during the suspension.
- b. Under unusual circumstances, approved by the General Manager, an employee may be suspended with pay, pending the outcome of an investigation.

6. Termination of Employment

The final stage of progressive discipline is termination of employment. Termination of employment with Beaver Municipal Solutions may occur following an employee committing multiple violations of company policy, after the logical steps for progressive disciplinary action have been taken, continued poor performance and failure to accomplish the requirements of a Performance Improvement Program, or immediately following a severe violation.

Termination of an employee requires approval of the General Manager, who may in his or her discretion, consult with Human Resources and legal counsel.

7. Appeals

In the event that an employee feels that the employee has been wrongfully disciplined relating to a first or final warning, they may file a written appeal to the General Manager. Written appeals must contain:

- a. Details of the discipline;
- b. Events surrounding the discipline;
- c. Why the employee feels the discipline is not warranted or appropriate.

The General Manager shall review and respond to all written appeals within ten (10) business days.

If the General Manager decides that the appeal is warranted, the employee shall be re-instated, and the letter removed from the employee's file. The General Manager's decision is final.

8. Performance Improvement Plans

Performance Improvement Plans (PIP's) are to be used in conjunction with, or as an alternative, to disciplinary action when an employee's performance will not meet an employer's expectations.

Steps to preparing and implementing an employee PIP are provided in the attached guide "How to Prepare a PIP".

- a. Managers and supervisors will be trained to evaluate their assigned employees in comparison to organizational standards of conduct and both business and individual employee objectives and targets developed during the annual Performance Management and Pay-for-Performance evaluation;
- b. Evaluation of an employee's conduct and performance will be a combination of formal quarterly reviews as well as on-going informal observations of emergent issues;
- c. Where quarterly reviews or on-going informal observation indicate a conduct or performance gap, the supervisor or manager will be required to assess, in consultation with Human Resources, whether a Performance Improvement Plan can be implemented to satisfactorily address the conduct or performance gap in a reasonable period, and in any event, no longer than 12 months;
- d. If a supervisor or manager assesses that the conduct or performance gap cannot be closed within a 12 month period, the supervisor or manager must recommend to his reporting manager:
 - I. Termination of the employee;
 - II. Re-assignment or demotion of the employee to another position, if one is available, and if there is a reasonable chance of the employee's performance success in a 12 month period in the new position;
- e. The PIP must be approved by a senior manager. Refusal to accept the proposed PIP will lead to revision of the PIP by the manager or supervisor, or lead to disciplinary action towards the employee.

9. Re-assignment and Demotion

Where an employee fails to continuously perform to the expectations of their assigned position, as an alternative to termination, the manager, with the approval of the responsible senior manager, may assign the employee to another position (re-assignment) or lower the expectations of the role with a commensurate reduction in compensation, as appropriate. Such re-assignment or demotion, must take place within the business plan context of the organization, with clear written expectations for the employee. Compensation changes are to take place over a transition period of no longer than one month. An employee who is re-assigned or demoted, is subject to a three month probationary period. Failure to meet expectations in this new role within three months or less, will lead to immediate employee termination from employment.

Roles and Responsibilities, Procedures, Forms and Related Policies

1. Attached to this policy are:
 - a. Progressive Discipline Levels chart of examples;
 - b. Section 1.6 (excerpt) of the Health, Safety and Environment Manual;
 - c. Guide “How to Prepare a PIP”;
 - d. Example PIP;
 - e. Example first warning letter;
 - f. Example final warning letter;
 - g. Example termination letter.

2. Related policy:
 - a. Employee Handbook
 - b. HUM-003 Staff Learning, Development and Growth
 - c. Performance Management and Pay-for-Performance Program