



402.4AP Employee Discipline

APPROVED: 1998.05.20

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REVIEWED:

PROCEDURES:

1. School principals and central office administration have the authority to issue letters of concern and/or letters of reprimand.
2. Disciplinary letters may be issued in the following types of situations:
 - 2.1 Acute offenses which are serious, clearly identifiable, and call for immediate reaction.
 - 2.2 Chronic offenses, which involve a continuing pattern of less acute, but still significant infractions.
3. Letters of concern contain written notice to the employee of the problem, and may document previous verbal warnings and/or attempts to address the concern. Employees may attach a written response to a letter of concern. Letters of concern become part of the employee's personnel file. Letters of concern are kept on file for a minimum period of one calendar year. The employee must request the removal of a letter of concern in writing, to the Superintendent.
4. An acute or chronic problem shall be documented in a letter of reprimand. Letters of reprimand contain written notice to the employee of the offense, and may summarize previous letter(s) of concern. Letters of reprimand become part of the employee's personnel file. Employees may attach a written response to any letter of reprimand. Letters of reprimand are removed from the employee's file upon recommendation of a committee convened by the Superintendent for this purpose. Two calendar years is the minimum amount of time that a letter of reprimand must remain in the employees file before it will be reviewed for removal. The employee must request in writing to the Superintendent a review for removal of a letter of reprimand.

5. In the event that it becomes apparent that an employee is not performing satisfactorily or is not meeting acceptable standards of conduct, the following steps shall be taken:
 - 5.1 Establish the facts. The principal or immediate supervisor shall immediately gather all pertinent facts and verify their accuracy, where possible.
 - 5.1.1. The employee shall be requested to provide his/her side of the story and to provide reasons for his/her unsatisfactory performance or conduct.
 - 5.1.2. The discussion shall be documented, and information about its content included in the letter.
 - 5.2 Obtain advice as needed. Questions of whether a remediation plan should be used instead of or in conjunction with disciplinary action, or whether a full investigative process should proceed, should be reviewed with the human resources member of the Superintendentcy, or with the Superintendent.
 - 5.3 Discuss the letter with the employee. The principal or immediate supervisor shall have a discussion with the employee concerned to inform him/her of the letter.

Collective agreements should be referred to where appropriate, as well as applicable policies and administrative procedures. The employee shall be informed of his/her right to attach a written response to the letter. The discussion shall be in private. The employee shall be given the letter and informed of the placement of the disciplinary letter in his/her personnel file.

6. Factors regarding the offense must be examined in order to determine whether the letter being considered will be one of concern or one of reprimand.
 - 6.1 Effect or Potential Effect of Offense. If the effect or potential effect of an employee's actions is great, then the letter written will tend to be more severe and will be a letter of reprimand rather than concern. Factors to consider include safety implications, impact of the trust the principal or immediate supervisor has in the employee, amount and value of damage caused, impact on the school's or division's image to the public, harm or potential harm to a student, and the level of employee's responsibility and general degree of negligence.
 - 6.2 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.
 - 6.3 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 letter than an impulsive act.
 - 6.4 Provocation. The determination of whether or not an employee was provoked into action may affect the degree of disciplinary letter applied. While provocation does not absolve the employee of responsibility for his/her actions, the existence of provocation should be included in the

content of any letter.

- 6.5 Misunderstanding. Where an employee is involved in a breach of policy or gives poor performance, the principal or immediate supervisor should make a reasonable effort to ensure that the employee is aware of and understands what is expected of him/her. Lack of knowledge and/or understanding of what is expected in certain situations may indicate that a letter of concern is more appropriate than a letter of reprimand.
- 6.6 Uniformity of Application. It is extremely important the discipline letters for similar offenses in similar circumstances be applied consistently for two reasons:
 - 6.6.1. from an employee relations point of view, the employee's reaction will be better with the knowledge that the discipline is applied fairly and consistently to all employees.
 - 6.6.2. it is more difficult to justify a disciplinary letter if it is inconsistent when compared with discipline given to other employees for similar infractions. Principals or immediate supervisors who apply disciplinary letters inconsistently may have this fact alluded to as part of the written response attached by an employee to his/her letter of concern or of reprimand.
- 6.7 Mitigating and/or aggravating circumstances. Where mitigating or aggravating circumstances do exist and enter into consideration of the degree of disciplinary letter applied, such circumstances should always be fully documented in the letter. This will show why a principal or immediate supervisor utilizes a letter more or less severe than the general standard and will assist in maintaining a consistent approach to the use of letters of discipline.
7. As per legislation, the Superintendent may suspend an employee or may recommend termination. These actions may be taken independent of the issuance of disciplinary letters.
8. The following information will be included in any letter of concern or reprimand:
 - i. Full name of employee.
 - ii. Date and location of occurrence.
 - iii. Names of witnesses (if appropriate).
 - iv. A clear description of the offense.
 - v. A reference to the policy, administrative procedure or collective agreement breached.
 - vi. Other pertinent information as outlined in the guidelines.
9. A copy of the letter of concern or reprimand will be sent to Central Services and placed in the employee's file.