

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.