

# Town of Greater Napanee

## Discipline Policy

Adopted: August 18, 2020 by Council Resolution #390/20

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### **Section 1: Background**

- 1.1 The Town of Greater Napanee (“the Town”) has a Code of Conduct for Employees and general policies that specifically contain sections relating to the discipline of employees, volunteers and elected officials which includes but is not limited to Harassment, Respect in the Workplace, Health and Safety and the Proceedings of Council.
- 1.2 The Town also has many other policies which Employees must follow that do not have specific disciplinary sections for enforcement purposes. This policy applies to all municipal policies, bylaws and procedures that do not contain other specific disciplinary measures.

### **Section 2: Purpose**

- 2.1 This policy is to ensure that Employees are treated consistently when discipline is required and to ensure that all Employees understand the expectation to adhere to policies of the Town.

### **Section 3: Scope**

- 3.1 This policy applies to all Employees as defined in the Employee Code of Conduct.

### **Section 4: Responsibility**

- 4.1 Elected Officials have the responsibility to:
  - a) enact appropriate policies and procedures to protect the human and financial resources of the community;
  - b) report violations of policies to Management; and
  - c) conform to corporate policies in a manner that supports and provides a positive example to the community and Employees.
- 4.2 Managers have a responsibility to:

- d) know and understand which corporate policies apply to themselves and Employees under their supervision;
  - e) ensure proper training is requested and provided;
  - f) report infractions of policies and/or deal expediently and properly with infractions;
  
  - g) provide a positive example of upholding corporate policies and remain openly supportive of corporate policy; and
  - h) ensure that no retaliatory action is taken against an employee for reporting infractions to policies.
- 4.3 All employees have the responsibility to:
- i) know, understand and follow policies that apply to their duties and ask for clarification when unsure;
  - j) approach training on policies in a positive manner;
  - k) act in a manner that supports corporate policies;
  - l) report infractions to Managers; and
  - m) not take any retaliatory actions against another employee for reporting a policy infraction.

#### **Section 5: Factor of consideration in determining level of discipline**

- 5.1 Managers shall consider the following factors when determining disciplinary actions based on breaches of policy, bylaws, regulations, statutes and the Employee Code of Conduct:
- (a) Level of responsibility in the organization
  - (b) Seriousness of impact from the breach
  - (c) Severity of Breach
  - (d) Intent of the employees (i.e. was the breach accidental, medical related, or intentional)
  - (e) Previous 36 months of Performance Appraisals
  - (f) Previous 36 months of Discipline Record
  - (g) Mitigating action or activity of the person

#### **Section 6: Levels of Discipline**

- 6.1 Discipline taken by Management relating to an employee's actions shall generally follow the following stages or steps:
- (a) Verbal Warning
  - (b) Written Warning
  - (c) Second Written Warning with Training if required

- (d) Suspension with pay one day
- (e) Suspension without pay
- (f) Demotion or Dismissal with Cause

### **Section 7: Judgement of Management**

7.0 Managers can determine based on one or more factors of consideration under Section 5 of this policy, to skip or repeat one or more steps in the levels of discipline.

### **Section 8: Mitigating Factors**

8.0 Should Managers determine that medically related factors or the need for accommodation are factors that should be considered when determining discipline; then alternate remedial actions not defined in Section 6 of this policy, can be implemented by the Manager (after written approval of Human Resources).

### **Section 9: Final Determination**

The decision of the Chief Administrative Officer on disciplinary action as per Section 6.1: Levels of Discipline, Subsections (a) to (d) is final. The decision of the majority of Council by resolution on disciplinary action as per Section 6.1, Subsections (e) and (f) is final. In the case of disciplinary action taken by the municipality regarding the Chief Administrative Office, the decision of the majority of Council by resolution is final.