

# **Rural Municipality of Lac Pelletier No. 107**

## **PROGRESSIVE DISCIPLINARY ACTION POLICY**

### **Purpose:**

This Progressive Disciplinary Action Policy aims to establish a fair and consistent framework for addressing performance or behavioural issues among the R.M. of Lac Pelletier No. 107 employees. The policy encourages improvement, provides clear expectations, and maintains a positive working environment, ensuring corrective actions are taken fairly and respectfully.

### **Scope:**

This policy applies to all R.M. of Lac Pelletier No. 107 employees, including full-time, part-time, temporary, and seasonal workers. It covers a range of performance and behavioural issues, such as attendance, job performance, workplace conduct, and adherence to the R.M. of Lac Pelletier No. 107 policies and procedures.

This policy applies to work-related conferences, business trips, social functions, contract sites, job interviews, and during regular work hours.

### **Standards:**

#### **1. Grounds for Action:**

##### **1.1 Level 1:**

Level one ground for action can be described as small incidents when taken alone. However, when occurring often or when there are multiple offenses, level one offenses pose a serious risk to staff morale and the intended function of the Council. As such, appropriate discipline could include any of the progressive discipline steps. Examples of a level one offense are:

- Inappropriate comments or conduct towards co-workers, Council, or members of the public.
- Malicious gossip either in person or on social media.
- Habitual lateness to work (Guide: 3x in a 30-day period.)
- Being absent without notification.
- Discourtesy to anyone with whom the employee comes into contact while in the performance of his or her duties.
- Violation of a safety rule or practice.
- Reporting for work while unfit for duty for any reason.
- Disorderly conduct including but not limited to:
  - o Abuse either physically or emotionally directed towards co-workers, Council, or residents.
  - o Inflammatory, divisive, or rude comments.
  - o Any comments pertaining to race, religion, disability, gender, or ethnicity.
  - o Creating or contributing to unsafe and unsanitary conditions in any of the R.M. of Lac Pelletier No. 107- owned facilities.
  - o Failure to comply with OH&S, Labour Standards, Human Rights Standards, and the Municipal Policies and Procedures.

##### **1.2 Level 2:**

Level 2 grounds for action can be described as a more serious violation and as such, has a more serious consequence and can include a suspension without pay for up to 2 days. Examples of a level 2 offense include but are not limited to:

- Reporting to work while under the influence of alcohol or drugs.
- Carelessness resulting in damage to materials, equipment, or property.
- Failure to report an accident or injury occurring on the job.
- Abuse of leave privileges or falsification of records.
- Unauthorized use of municipal vehicles or equipment.
- Driving a motor vehicle while on duty without a valid Saskatchewan Driver's license.
- Failure to report a loss or suspension of driver's license when an employee is required to drive as part of their regular duties.

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### **1.3 Level 3:**

A level 3 grounds for action is expected to result in immediate termination, following the process prescribed by Labour Standards and any applicable union. Examples of a level 3 offense include but are not limited to:

- Violation of safety rules or a safety practice that has the potential to endanger the safety of employees, contractors, or visitors.
- Deliberate damage or destruction of municipal property, or employee, Administrator, Manager of Outside Operations, or Council property.
- Falsification of personnel or municipal records, including but not limited to:
  - o Employment applications
  - o Accident records
  - o Work records
  - o Purchase orders
  - o Timesheets
  - o Maintenance records
  - o Asset Management documentation
- Making any false claims or misrepresentations to obtain accident benefits, WCB or unemployment compensation for themselves or others.
- Refusal to perform work as assigned unless the reason for refusal is the right to refuse unsafe work.
- Theft or removal from municipal locations of any property belonging to the municipality without appropriate authorization.
- Conviction of a crime may be considered as level 3 misconduct if the conviction impacts the community's ability to trust the employee.
- The use and/or sale of narcotics, marijuana, or alcohol when on duty and when required to run the equipment.
- Being absent for 3 days without notification.
- Failure to return to work from an authorized leave.

### **2. Responsibilities:**

#### **2.1 Employer:**

The Administrator is expected to apply the progressive discipline policy fairly and in accordance with all other policies, procedures, and legislation. The Administrator is expected to train all employees to know the expected code of conduct and advise them of the progressive discipline policy. The same applies to the Manager of Outside Operations, who oversees day-to-day operations.

#### **2.2 Managers and Supervisors:**

Supervisory personnel are expected to identify any incidents of misconduct and address them as they occur. Most incidents can be corrected at this stage without the need for formal discipline.

#### **2.3 Employees:**

Employees are expected to learn and know the conduct expected of them, and to understand the consequences of willfully ignoring the standards.

#### **2.4 Ratepayer:**

The Ratepayers of R.M. of Lac Pelletier No. 107 are expected and encouraged by the Manager of Outside Operations and the Administrator to report any grounds for action through the normal protocol of a signed complaint.

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### **3. Procedure:**

#### **3.1 How the Progressive Discipline Policy Is Enacted:**

When staff is conducting themselves in a way that requires correction, the progressive discipline policy comes into effect. The Administrator enacts the progressive discipline policy, if necessary, with the Manager of Outside Operations, and the Manager of Outside Operations conducts progressive discipline with the remainder of the staff.

The privacy of the staff, in either case, is particularly important and must be respected.

#### **3.2 Confidentiality and The Right to Privacy:**

R.M. of Lac Pelletier No. 107 understands the confidentiality of all individuals involved in an incident requiring discipline.

#### **3.3 Documentation:**

All meetings, discussions, and steps taken with respect to the progressive discipline will be documented. Documents relating to progressive discipline remain in the employee file for a period of 5 years.

### **4. Progressive Discipline Steps:**

#### **4.1 Documented Verbal Warning:**

The supervisor gives a verbal warning to the staff. This may be the Administrator, or the Manager of Outside Operations.

- A verbal explanation of the expected behavior as per the policy or the code.
- A clear explanation of the violation and expected correction.
- The consequences should the behavior remain uncorrected.
- An agreement for follow-up is reached.
- A verbal reprimand form is signed by both the employer/supervisor and the employee.
- The R.M. of Lac Pelletier No. 107 maintains a copy of the form in the employee file.
- The employee receives a copy.
- If no further problem occurs, no further action is expected.

#### **4.2 Written Warning with Documented Improvement Plan:**

If the documented verbal warning did not have the desired effect, meaning the behavior continues, the Administrator meets with the employee and keeps notes. The Administrator:

- Explains to the employee why the meeting was called and states the specific problem.
- Reviews the steps that have already been taken, and what the next steps will be.
- Gives the employee the opportunity to tell his/her side of the story and includes the explanation in the notes of the meeting.
- The Administrator also explains the next steps, which could include suspension or dismissal.

#### **4.3 Suspension:**

During the final written warning, an employee may be suspended and/or put on review.

Employees put on suspension will be excluded without pay from the workplace for a period of one to three (1-3) days depending on the violation. Typically, suspension will be for three (3) days unless the employee is required at work to complete projects or perform required duties.

#### **4.4 Termination of Employment:**

The final stage of progressive discipline is termination of employment. Termination of employment with the R.M. of Lac Pelletier No. 107 may occur following an employee committing multiple violations of this policy, after the logical steps of progressive disciplinary action have been taken or immediately follow a severe violation. Notice of termination of employment shall be in accordance with the provisions of the Saskatchewan Employment Standards Act and Regulations thereto.

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### 4.5 Right to File a Complaint with Outside Agency:

This policy is meant to provide effective mechanisms for progressive discipline in this workplace. However, every employee also has the right to file a complaint with an outside agency. If employees feel they have been treated unfairly, they may file a complaint with labor standards, the human rights commission or other governing bodies.

### Pertinent Legislation:

#### 1. Federal Legislation:

##### 1.1 Canada Labour Code:

The Canada Labour Code applies to federally regulated industries such as banking, telecommunications, and transportation. Section 240 of the Code outlines requirements for just cause and progressive discipline in cases of dismissal.

##### 1.2 Canadian Human Rights Act:

This legislation prohibits discrimination in employment on grounds such as race, national or ethnic origin, color, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, and pardoned conviction. Employers must ensure that disciplinary actions do not discriminate against employees based on any of these grounds.

#### 2. Provincial Legislation:

##### 2.1 The Saskatchewan Employment Act:

This legislation governs employment standards in Saskatchewan, including provisions related to discipline and termination. It outlines the rights and responsibilities of both employers and employees regarding disciplinary actions. Sections 48 to 53 of the Act address discipline, including the requirement for just cause.

##### 2.2 The Saskatchewan Human Rights Code:

This legislation prohibits discrimination in employment on grounds such as race, religion, age, sex, sexual orientation, and disability. Employers must ensure that disciplinary actions are not based on others protected characteristics.

### In Conclusion:

Implementing this Progressive Disciplinary Action Policy is essential for maintaining a productive, respectful, and fair work environment. By providing clear expectations, fair interventions, and opportunities for improvement, we aim to create a workplace culture that encourages growth, accountability, and collaboration. This policy reflects our commitment to treating employees respectfully while addressing performance or behavioural issues constructively and consistently.

Onboarding and Orientation Policy – 2024 adopted by resolution of Council on August 8, 2024.

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Reeve – Murray Spetz

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Administrator – Sandra Krushelniski