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	Number:	HR-021		
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### 1.0 Policy Statement


- 1.1 The City of Welland (the “City”) is committed to creating a positive work environment where all employees can succeed. A progressive discipline policy is designed to address and correct employee performance and behaviour issues fairly, consistently, and constructively. This policy ensures that employees are given clear expectations, ample opportunities to improve, and an understanding of the consequences of failing to meet performance and behaviour standards.
- 1.2 This policy is a companion policy to HR001 – Employee Code of Conduct and HR019 Non-Union Performance Management.
- 1.3 Policies and procedures established by individual departments or applicable collective agreements may supersede this policy.

### 2.0 Purpose

- 2.1 The purpose of this policy is to establish a standard procedure for addressing employee performance and behaviour issues fairly, consistently, and constructively. By establishing this policy, we aim to help employees correct their behaviour and improve their performance while maintaining a productive and positive work environment.

### 3.0 Principles


- 3.1 **Fairness and Consistency:** All employees are treated equitably and consistently. Disciplinary actions are based on objective criteria and documented evidence. The same standards and procedures apply to all employees, regardless of position or tenure.
- 3.2 **Clarity and Communication:** Expectations regarding performance and behaviour are communicated to all employees. Disciplinary actions and the reasons behind them are explained in a straightforward and understandable manner. Employees are informed of the potential consequences of their actions at each stage of the process.
- 3.3 **Proportionality:** Disciplinary measures are intended to be proportionate to the severity and frequency of the behaviour or performance issue. The steps of progressive discipline escalate appropriately from informal counselling to formal actions. However, in circumstances of significant, serious, repeated or multiple acts of misconduct, the City may expedite an employee’s progression through the disciplinary procedure up to and including immediate termination of employment.

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- 3.4 **Support and Improvement:** People leaders provide guidance, resources, and support to employees to improve their performance. Where appropriate, employees are given reasonable time and opportunity to address and correct issues.
- 3.5 **Documentation:** All steps in the process are thoroughly documented, including details of the issue, actions taken, and the employee's response. Records of disciplinary action are maintained in the employee file.
- 3.6 **Confidentiality:** Disciplinary action and related discussions are kept confidential. Information is only shared with individuals who have a legitimate need to know.

#### 4.0 Definitions

- 4.1 **Progressive Discipline:** A structured process of addressing employee performance and behaviour issues through a series of escalating actions, designed to give employees opportunities to correct their behaviour and improve performance.
- 4.2 **Informal Counseling:** An initial, informal conversation between a people leader and an employee to address performance or behaviour issues. This step is intended to provide guidance and support without formal documentation.
- 4.3 **Verbal Warning:** A formal verbal notice given to an employee by a people leader to address ongoing or serious performance or behaviour issues. This notice is documented and stored in the employee's personnel file.
- 4.4 **Written Warning:** A formal written notice issued to an employee outlining specific performance or behaviour issues, expectations for improvement, and consequences if improvements are not made. A copy is placed in the employee's personnel file.
- 4.5 **Suspension:** Subject to applicable collective agreements, unionized employees may be suspended from their duties without pay as a disciplinary measure for serious or repeated issues. The City also retains the right to suspend non-unionized employees with pay pending workplace investigations, as applicable. Any suspension will be documented and stored in the employee's personnel file.
- 4.6 **Performance Improvement Plan (PIP):** A formal document outlining specific performance or behaviour issues, goals for improvement, and a timeline for achieving these goals. The PIP includes regular check-ins and support from the affected employee's people leader.

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4.7 **Termination:** the cessation of an employee’s employment with the City as a result of the employee reaching the final step of the progressive discipline process; a culminating incident; and/or when the employee has been terminated for serious misconduct.


## 5.0 Responsibilities

### 5.1 Human Resources

- Develop, implement, and regularly review this policy.
- Provide guidance and training to people leaders and employees on policy requirements and expectations.
- Provide guidance and support to people leaders and employees regarding the performance management process
- Assist in the development of PIPs and other performance-related documents.
- Ensure this policy is applied consistently and fairly across the organization and monitor compliance.
- Maintain confidential and accurately record performance evaluations, feedback and disciplinary actions, ensuring compliance with this policy and applicable collective agreements.

### 5.2 People Leaders

- Ensure that employees are aware of and comply with this policy.
- Emphasize the importance of this policy as a contributing factor to creating a positive work environment, leading by example.
- Clearly communicate job responsibilities, performance standards, and goals to employees.
- Regularly observe and assess employee performance; provide ongoing feedback.
- Identify training and development needs and provide opportunities for skill enhancement and growth.
- Prepare and conduct performance evaluations, where applicable.
- Document performance concerns and address them promptly and constructively.
- Implement progressive discipline when necessary.
- Develop and monitor PIPs.

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### 5.3 Employees

- Review and understand the requirements and expectations of this policy.
- Regularly assess their own performance, identify areas for self-improvement take initiative in addressing them, and seek feedback from people leaders.
- Actively participate in performance evaluations, feedback and disciplinary meetings.
- Implement feedback and take advantage of training and development opportunities.
- Communicate openly with people leaders and report any obstacles to performance.
- All employees are responsible for adhering to this policy and understanding its importance in maintaining a professional and safe work environment

## 6.0 Progressive Discipline Steps

### 6.1 Informal Counseling:


- The people leader will first address the issue informally by discussing the concern with the employee.
- The discussion will be documented and will include expectations for improvement.
- A letter of counselling will be issued to the employee.

### 6.2 Verbal Warning

- If the behaviour or performance issue persists, the people leader will issue a verbal warning.
- The discussion will be documented and will include expectations for improvement.
- The verbal warning will be documented and a copy placed in the employee's file.

### 6.3 Written Warning

- If the behaviour or performance issue persists, the people leader will issue a written warning.
- The written warning will detail the concern, the steps taken to date (if any), and the consequences of failing to improve.
- The written warning will be placed in the employee's file.

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#### 6.4 Suspension

- If there is no improvement, the behaviour or performance issue persists, or is severe enough, the unionized employee may be suspended without pay.
- The suspension will be documented, detailing steps taken to date (if any) and will specify that further disciplinary action up to and including termination, will be taken if the issue is not resolved.
- The suspension will be documented and placed in the employee's file.

#### 6.5 Termination

- If there is no improvement - or where the seriousness of the offence, previous discipline record, or other circumstances, behaviour or performance issues - are severe enough, termination of employment may be considered.
- The decision to terminate employment will be made in consultation with Human Resources and senior people leaders.
- A termination letter will be provided to the employee, detailing the reason for termination and any relevant information regarding final pay, benefits, return of company property, etc.

### 7.0 Levels of Discipline


#### 7.1 Level One

Disciplinary measures for this type of misconduct will generally progress from a verbal warning to written warning to suspensions and ultimately to termination for cause for repeated violations.

Examples of level one misconduct may include, but are not limited to, unauthorized or culpable absenteeism and lateness, failing to follow attendance policy, leaving work without authorization, interfering with the work of others, including excessive non-work related conversations, e-mails etc., poor productivity and work quality, including failing to meet acceptable job standards and inattention to your job duties.

#### 7.2 Level Two

Disciplinary measures for this type of misconduct generally apply to more serious discipline, such as a written warning or suspension and ultimately termination for cause for repeated violations. This level is also applicable as the next step in respect of repeated misconduct or failure to address performance and/or prior counseling and discipline.

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Examples of level two misconduct may include but are not limited to, dishonesty, insubordination, including failure to abide by a reasonable workplace directive, disorderly conduct on company property, abuse of company e-mail and internet access, serious failure to attend to job duties, which causes or may cause a disruption to productivity, loss or damage to equipment, or any other disruption or multitude of infractions.


**7.3 Level Three**

Level three disciplinary measures are intended to address the most serious forms of misconduct. In most instances, a level three violation will result in either suspension or termination. This level is also the next step in respect of engaging in further misconduct despite prior counseling and discipline efforts being applied, and any culminating incident displaying a failure to address prior performance.

Examples of level three misconduct may include, but are not limited to, possession of weapons, including firearms and knives on company property, wilful destruction of company property, violent behaviour, including fighting and making threatening statements, harassment or bullying, health and safety violations, job abandonment, including failing to return to work after a scheduled absence (such as a vacation or sick leave) and failing to report to work as scheduled, without valid reason or without notifying your supervisor, failing to comply with company requests for documents in support of an absence, such as medical notes, falsifying work records, theft or misappropriation of municipal property or documents, possessing or consuming alcohol or illicit drugs in the workplace.

**8.0 General Terms**

8.1 Discipline should be issued as soon as possible after the supervisor becomes aware of the infraction. Should an investigation need to be conducted, the discipline should not be issued until the supervisor has all the facts required to make an informed decision on the matter. The employee may be asked to attend a fact-finding meeting, prior to a letter of counselling or discipline being administered. Human Resources, any other manager within the department, and a union representative (if applicable) may participate in any of the steps, including attending meetings. Timelines in any applicable collective agreement should be followed.

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- 8.2 The following factors should be considered in all applications of disciplinary action:
- The seriousness of the offence, including whether it was safety related.
  - The employee’s previous discipline record.
  - The circumstances surrounding the misconduct.
- 8.3 Progression through the discipline steps may be altered depending on the nature and circumstances surrounding the misconduct. If the misconduct is serious enough, the City reserves the right to proceed to a higher level of discipline immediately. Steps may be repeated or escalated up to the point of termination depending on the misconduct.
- 8.4 At the discretion of the Director, and in consultation with Human Resources, the City may place an employee on a paid leave of absence pending an investigation of allegations of misconduct, where the nature of the allegation compromises the ability of the employee to perform their duties, and where a reasonable period of time will be required to complete an investigation.
- 8.5 All records of discipline or counseling will remain in the employee’s file in the Human Resources department. If the employee is a member of a bargaining unit, disciplinary and counseling letters will be removed from the file in accordance with the applicable collective agreement.

**Revision History**

Date	Description of Change	Initials