
HORIZON SCHOOL DIVISION**POLICY HANDBOOK**

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Policy Title: Progressive Discipline
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POLICY

THE BOARD OF TRUSTEES OF HORIZON SCHOOL DIVISION RECOGNIZES THE SUPERINTENDENT'S AUTHORITY WITH REGARD TO STAFF DISCIPLINE.

DEFINITIONS

Progressive discipline is a series of increasingly escalated stages, ranging from informal verbal warnings or discussions to formal disciplinary meetings up to and including termination with cause, that a supervisor initiates to correct unacceptable work behaviour, or conduct.

GUIDELINES

1. The Horizon School Division (Horizon) uses progressive discipline to address conduct and policy violation issues.
 - 1.1. Concerns with an employee's competence are dealt with under Division evaluation policies.
2. Horizon's progressive discipline process is separate and distinct from the Alberta Teaching Profession Commission.
3. The goal of progressive discipline is to allow employees to correct issues or concerns that may arise.
4. Horizon strives to work with employees regarding issues in the workplace but also needs to hold employees to a high standard of conduct.
5. Suspension or placing an employee on unassigned duties may be part of an investigation.

Mitigating Factors

6. The following mitigating factors may be considered by the Associate Superintendent of Human Services during the formal discipline process.
 - 6.1. Effect or Potential Effect of Offense: If the effect or potential effect of an employee's actions is significant, the disciplinary action will tend to be more severe and will be a higher stage. Factors to consider include harm or potential harm to a student or colleague, safety implications, impact of the trust the Supervisor has in the employee, amount and value of damage caused, impact on the school's or Division's image to the public, and the level of employee's responsibility and general degree of negligence.

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- 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 action 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 action applied. While provocation does not absolve the employee of responsibility for their actions, the existence of provocation is to be included in the content of any documentation.
- 6.5. **Misunderstanding:** Where an employee is involved in a breach of policy, procedure, or inappropriate conduct, the supervisor is to make a reasonable effort to ensure the employee is aware of and understands what is expected of them. Lack of knowledge and/or understanding of what is expected in certain situations may indicate that a lower stage of disciplinary action is more appropriate.
- 6.6. **Uniformity of Application:** It is extremely important the disciplinary action for similar offenses in similar circumstances be applied consistently for two reasons:
 - 6.6.1. The employee’s reaction will be more favorable with the knowledge the discipline is applied fairly and consistently to all employees.
 - 6.6.2. Disciplinary action must be viewed as consistent when compared with discipline given to other employees for similar infractions. Supervisors who apply disciplinary action inconsistently may have this fact alluded to as part of the written response attached by an employee to their letter.
- 6.7. **Mitigating and/or Aggravating Circumstances:** Where mitigating or aggravating circumstances do exist and enter into consideration of the degree of disciplinary action applied, such circumstances must always be fully documented. This will show why a supervisor utilizes a stage more or less severe than the general standard and will assist in maintaining a consistent approach to the use of discipline.

REGULATIONS

Procedures

1. In the event it becomes apparent an employee is not meeting acceptable standards of conduct and behavior and formal disciplinary action is being considered, the first step is to obtain advice as needed. The Supervisor shall initiate discussion with the Associate Superintendent of Human Services regarding the type of disciplinary action required and whether a full investigative process is to proceed.
2. The Horizon Progressive Discipline Procedure shall follow the following steps:
 - 2.1. Informal verbal warning or discussion.
 - 2.2. Formal disciplinary meetings which includes:

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- 2.2.1. formal warning/letter of concern;
- 2.2.2. letter of direction;
- 2.2.3. letter of reprimand;
- 2.2.4. suspension; and
- 2.2.5. termination.

Informal Verbal Warning or Discussion

- 3. The informal step is a verbal warning or discussion between the employee and their immediate supervisor which will occur as soon as possible following the identification of an issue. The verbal warning or discussion will include a description of the issue and how the employee can correct the situation. The supervisor may choose to informally document the discussion on a *Notice of Disciplinary Action Form* (Appendix A).
 - 3.1. It is the responsibility of the Supervisor to document the verbal warning or discussion to include the details of the discussion and the date and time it occurred.

Formal Disciplinary Meetings

- 4. Upon notification of the formal disciplinary meeting the employee will be advised of the right to have a representative present at such meetings.
 - 4.1. In the case of Unionized staff, this is usually a union representative and/or work colleague.
 - 4.2. In the case of non-unionized staff, this is usually a work colleague.
- 5. In general, there are five stages within the formal Progressive Discipline Procedure:
 - 5.1. Stage 1 – Formal warning/Letter of Concern
 - 5.2. Stage 2 – Letter of Direction
 - 5.3. Stage 3 – Letter of Reprimand
 - 5.4. Stage 4 – Suspension
 - 5.5. Stage 5 – Termination
- 6. Depending on the severity of the infraction, it may be appropriate to repeat any of the first four stages.
 - 6.1. In the event of severe infractions, it may be appropriate to begin at stages 2, 3, 4 or 5.
 - 6.2. The facts of the circumstances of individual situations may dictate stages that vary in

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some respect to what is set out in this procedure.

Stage 1 – Formal Warning/Letter of Concern

7. If an employee's behaviour does not improve or depending on the nature or severity of the infraction, Human Services, in consultation with the Supervisor, may deem a letter of concern/letter of direction is required.
8. Stage 1 of the Progressive Discipline Procedure is a formal documented meeting between the employee and their immediate supervisor. The supervisor may choose to have another employee present to act as a witness. This meeting will occur as soon as possible following the identification of an issue. The employee will be invited to bring a representative to the meeting. The discussion will include a description of the issue, how the employee can correct the situation and potential future consequences.
9. The Supervisor shall contact the Associate Superintendent of Human Services for a templated letter of concern and assistance in drafting the letter. The employee will be provided with an opportunity for discussion at this meeting. The letter of concern may state:
 - 9.1. what the employee did wrong;
 - 9.2. what the employee should have done;
 - 9.3. reference to any previous disciplinary action;
 - 9.4. corrective action to be taken; and
 - 9.5. the potential future consequences.
10. The employee will be provided with a copy of the Progressive Discipline Policy at this stage. The letter will be provided to the employee and a copy sent to the Associate Superintendent of Human Services and placed on the employee's personnel file.

Stage 2 – Formal Warning/Letter of Direction

11. If an employee's behaviour does not improve or depending on the nature or severity of the infraction, Associate Superintendent of Human Services, in consultation with the Supervisor, may deem a letter of direction is required.
12. At stage 2 of the Progressive Discipline Procedure a letter of direction will be issued to the employee during a meeting led by the Associate Superintendent of Human Services or designate and attended by the Supervisor. This meeting will occur as soon as possible following the identification of an issue. The employee will be invited to bring a representative to the meeting. The discussion will include a description of the issue, how the employee shall correct the situation and potential future consequences.
13. The letter of direction will be written by the Associate Superintendent of Human Services in consultation with the supervisor. The letter of direction will be on Horizon letterhead and signed by the Associate Superintendent of Human Services or designate. The letter of

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direction may state:

- 13.1. what the employee did wrong;
 - 13.2. what the employee should have done;
 - 13.3. reference to any previous disciplinary action;
 - 13.4. corrective action to be taken; and
 - 13.5. the potential future consequences.
14. The employee will be provided with a copy of the Progressive Discipline Policy at this stage. The letter will be provided to the employee and a copy placed on the employee’s personnel file.

Stage 3 – Letter of Reprimand

15. If an employee’s behaviour does not improve or depending on the nature or severity of the infraction, Associate Superintendent of Human Services, in consultation with the Supervisor, may deem a letter of reprimand is required.
16. At stage 3 of the Progressive Discipline Procedure a letter of reprimand will be issued to the employee during a meeting led by the Associate Superintendent of Human Services or designate and attended by the Supervisor. This meeting will occur as soon as possible following the identification of an issue. The employee will be invited to bring a representative to the meeting. The discussion will include a description of the issue, how the employee can correct the situation and potential future consequences.
17. The letter of reprimand will be written by the Associate Superintendent of Human Services in consultation with the supervisor. The letter of reprimand will be on Horizon letterhead and signed by the Associate Superintendent of Human Services or designate. The letter of reprimand may state:
- 17.1. what the employee did wrong;
 - 17.2. what the employee should have done;
 - 17.3. reference to any previous disciplinary action;
 - 17.4. corrective action to be taken; and
 - 17.5. the potential future consequences.
18. The employee will be provided with a copy of the Progressive Discipline Policy at this stage. The letter will be provided to the employee and a copy placed on the employee’s personnel file.

Stage 4 – Suspension

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19. If an employee’s behaviour does not improve, or if there is a significant issue that requires disciplinary action of a serious nature, the employee may be suspended with or without pay. A disciplinary suspension is a temporary removal of the employee from the workplace which is imposed by the employer as a disciplinary consequence.
20. At stage 4 of the Progressive Discipline Procedure a letter of suspension will be issued to the employee during a meeting led by the Associate Superintendent of Human Services or designate and attended by the Supervisor. This meeting will occur as soon as possible following the identification of an issue. The employee will be invited to bring a representative to the meeting. The discussion will include a description of the issue, how the employee can correct the situation and potential future consequences.
21. The letter of suspension will be written by the Associate Superintendent of Human Services. The letter of suspension will be on Horizon letterhead and signed by the Associate Superintendent of Human Services or designate. The letter of suspension may state:
 - 21.1. what the employee did wrong;
 - 21.2. what the employee should have done;
 - 21.3. reference to any previous disciplinary action;
 - 21.4. corrective action to be taken;
 - 21.5. the potential future consequences; and
 - 21.6. the effective date of the suspension with or without pay.

The employee will be provided with a copy of the Progressive Discipline Policy at this stage. The letter will be provided to the employee and a copy placed on the employee’s personnel file.

Stage 5 – Termination with Cause

22. Termination with Cause is the most severe disciplinary action and one that must be used only when the employer is satisfied that all other types of discipline failed to correct the employee’s behaviour, or if there is a significant issue or incident which is cause for termination.
23. The purpose of termination is to terminate the employment relationship when corrective efforts have failed, and improvement no longer seems reasonably possible or when the conduct or action of the employee is so grave that it has caused irreparable damage to the employment relationship.
24. The supervisor **MUST**:
 - 24.1. consult with the Associate Superintendent of Human Services;
 - 24.2. demonstrate that the employee knew what was expected; and

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- 24.3. demonstrate that the employee was informed verbally, and in writing, of the behaviour or issue, or demonstrate that the conduct or action was so grave or serious that it caused irreparable damage to the employment relationship.
25. A formal disciplinary meeting will be convened, the meeting will be led by the Associate Superintendent of Human Services or designate. The Supervisor may be present at the meeting. The employee will be invited to bring a representative to the meeting. At the meeting, the employee will be told of the recommendation of termination and the reasons for the decision and will be provided with a letter informing them of the recommendation for termination. The recommendation for termination letter will be placed on the employee’s personnel file.
26. The Associate Superintendent of Human Services will recommend termination to the Superintendent.
27. A formal termination hearing shall take place at which time the employee has the opportunity to share pertinent information with the Superintendent prior to the Superintendent making a final decision regarding termination.
28. The employee shall receive a Record of Employment, relevant information regarding salary, benefits and vacation pay, and any outstanding monies owed to the individual by Horizon.
29. The employee shall surrender any Horizon property following their termination as soon as possible.

Appeals

30. If an employee feels that they have been wrongfully accused, or disciplined, they may file a written appeal with the Associate Superintendent of Human Services. Written appeals must contain:
- 30.1. details of the discipline;
- 30.2. events surrounding the discipline; and
- 30.3. why the employee feels the discipline is unwarranted or inappropriate.
31. The Associate Superintendent of Human Services shall review and respond to all written appeals within a reasonable timeframe.
32. Appeals of the Associate Superintendent of Human Services decision may be appealed to the Superintendent in writing within two weeks of the Associate Superintendent of Human Service’s decision.
33. Appeals of the Superintendent may be appealed as per statute.

**Appendix A –
Notice of Action
Informal Verbal Warning**

Issued to

Name :		Date of Issue:	
Position: n:		Department/Location: n:	

Disciplinary action taken for the following reasons (include date of occurrence):

History of occurrence (include date and explanation of previous disciplines and past corrective action taken):

Expected/acceptable behaviour:

Future Expectations:

FURTHER INFRACTIONS MAY RESULT IN FURTHER DISCIPLINE UP TO AND INCLUDING TERMINATION