

# Progressive Discipline Policy

**Category:** Human Resources

**Approval:** PVP

**Responsibility:** Associate Vice-President, Human Resources

**Date:** April 9, 2008

## Definitions:

**Major Infraction:** action or inaction on the part of the employee such that the employment relationship itself is repudiated or irrevocably damaged.

**Non-Culpable Circumstances:** a situation where an employee is unable to fulfill the requirements of the employment relationship because of circumstances over which he/she has no control.

**Unsatisfactory Performance:** an inability to fulfill the expectations of the position held as a result of a) an unwillingness to do so, or b) non-culpable performance circumstance like not possessing the necessary skills to meet the requirements of the position.

**Infraction:** may either be action or inaction on the part of the employee which is a form of misconduct (but not gross misconduct/a major infraction), or be the failure to satisfy job performance requirements, where reasonable remedial efforts may return the employee to satisfactory levels of performance.

**Progressive Discipline:** a process intended to raise the employee's awareness of the problem and the need to change based on an escalation of the consequences for failure to comply.

**Suspension:** a disciplinary action taking the form of an imposed absence from work, normally without pay.

**Demotion:** a transfer to a position in a lower salary grade because the employee does not meet the established job objectives.

**Termination:** an involuntary ending of employment which may be imposed for:

- major infraction or gross misconduct,
- multiple infractions,
- unsatisfactory performance (culpable and non-culpable),
- other non-culpable circumstance.

**Trial period:** a formal period of evaluation where specific objectives will be established.

## Purpose/Reason for Policy:

The purpose of this policy is to state Trent University's position on administering equitable, consistent and progressive discipline for unsatisfactory performance and misconduct in the workplace. Trent University's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, consistent and impartial. The major purpose of any disciplinary

action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. Should this purpose not be achieved and a further infraction occurs, the subsequent sanction imposed is generally more severe, hence the term "progressive discipline".

#### **Scope of this Policy:**

This policy applies to all non-academic unionized and exempt, regular or recurring employees employed at Trent University.

#### **Policy Statement:**

Trent University has a responsibility to inform staff of unsatisfactory performance in a timely and open manner and also where appropriate to provide employees an opportunity to correct unsatisfactory performance.

Progressive discipline is a coaching process and should involve some or all of the following procedure depending upon the severity of the problem and the length of service and work record of the employee. The application of progressive discipline is flexible. An employee may be initiated into the progressive disciplinary process at any point, depending on the seriousness of the problem encountered.

Termination as a result of a major Infraction may not have been preceded by previous actions.

A problem involving the failure to satisfy job performance requirements, for culpable or non-culpable circumstances, must include at least one formal trial period prior to any decision to demote or terminate.

#### **Responsibilities:**

All forms of formal discipline should be reviewed with Human Resources. Departments are responsible for establishing standards of performance and expectations during trial periods in consultation with the Associate Vice-President of Human Resources or designate. Demotion or termination must have the approval of the appropriate Vice-President. For those individuals whose appointments are approved by the President, demotion or termination must also be approved by the President.

Whenever prior consultation is not practical because of reasons perceived to be of such an urgent or serious nature, the employee must be placed on suspension pending investigation, with pay, until the case can be discussed with Human Resources.

If a Manager suspects, or is told, that an employee's work performance is affected by personal problems such as relationship problems, addiction or substance abuse, or elder or childcare pressures, etc., the Manager needs to use this opportunity to remind the employee of the services available to him/her, under the EAP. The Manager should provide the contact information and make a notation of the referral in his/her records and of the discussion with the employee and the date of these discussions.

The above guidelines will not affect the great majority of employees. They are designed to ensure that those few employees who disregard the rules guiding all employees will be dealt with in a prompt, consistent and impartial manner.

**Contact Officer:**

Associate Vice-President, Human Resources

**Date for Next Review:**

November 2019

**Related Policies, Procedures & Guidelines**

a) N/A

**Policies Superseded by This Policy:**

a) N/A