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Policy Title <b>EMPLOYEE PROGRESSIVE DISCIPLINE PROCESS</b>		

Council Resolution No. <b>C/272/06</b>	Date: <b>APRIL 13, 2006</b>	Cross Reference <b>N/A</b>	Effective <b>April 13, 2006</b>
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**POLICY**

1. Lacombe County endeavors to foster a workplace environment that is conducive to high employee satisfaction and job performance. It is recognized, however, that at times there may be incidents of employee misconduct or performance problems that occur which will necessitate that corrective or disciplinary actions be taken by the County. Accordingly, the purpose of this policy is to allow Lacombe County to set the regulations for employee discipline.
2. It is the policy of Lacombe County to ensure that employees are given every opportunity to correct both misconduct and performance problems. To this end, Lacombe County staff are expected to follow this Progressive Discipline Process when addressing employee misconduct and performance problems.

**3. PROGRESSIVE DISCIPLINE PROCESS**

3.1 The steps in Lacombe County's Discipline Process are as follows:

- a) Step 1 - Situational Assessment
- b) Step 2 - Oral Warning
- c) Step 3 - Written Warning
- d) Step 4 - Suspension
- e) Step 5 - Dismissal

Detailed explanations of these steps are set out in Sections 4 to 8 of this policy.

3.2 This process sets out a constructive approach to be followed in dealing with most misconduct or performance problems that may exist with employees.

3.3 This Progressive Discipline Process is expected to address the majority of misconduct or performance problems. However, it is not intended to limit the appropriate action called for by the severity of the misconduct or performance issue. Therefore, depending on the circumstances, the County may forego the preliminary steps and move immediately to any of the latter steps of this process. For example, a single serious incident of employee misconduct or performance may result in immediate dismissal for just cause despite the absence of any prior misconduct or performance concerns.

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**4. STEP 1 - SITUATIONAL ASSESSMENT**

- 4.1 Where an employee's misconduct or performance problem has been noted, the employee's Supervisor is expected to ascertain whether the problem results from a health or psychological problem from which the employee may be suffering.
- 4.2 Where it is determined that the misconduct or performance problem is the result of a health or psychological problem, the employee's Supervisor is to recommend that the employee seek health care or counseling services.
- 4.3 Where the employee has sought health care or counseling service to assist in overcoming the health or psychological problem, the employee's Supervisor shall continue to monitor the situation for a reasonable period of time before advancing to the next step of the Progressive Discipline Process.
- 4.4 Prior to proceeding with the actions of Step 1, the employee's Supervisor shall advise the Department Head of the situation. In the event the employee exhibiting misconduct or performance problems is a Supervisor, the Department Head shall advise the County Commissioner.
- 4.5 After proceeding with the actions of Step 1, written documentation shall be placed in the employee's personnel file describing the misconduct or performance problem and the actions taken by the employee and the Supervisor, or Department Head if the employee is a Supervisor, to address the misconduct or performance problem.

**5. STEP 2 - ORAL WARNING**

- 5.1 Where it is apparent to the employee's Supervisor that a misconduct or performance problem is sufficiently serious to bring to the attention of the employee, the Supervisor shall meet with the employee in a closed-door, one-on-one session. During this meeting, the Supervisor shall explain the misconduct or performance problem which is of concern, the required change in either the misconduct or performance, and the assistance which the County is prepared to provide to the employee in overcoming this particular problem.
- 5.2 While this step should not be threatening to the employee, it should be clearly understood that the matters discussed are more than casual concerns to the County and that a change is required.
- 5.3 Prior to proceeding with the actions of Step 2, the employee's Supervisor shall advise the responsible Department Head of the situation. In the event the employee exhibiting the misconduct or performance problem is a Supervisor, the responsible Department Head shall advise the County Commissioner.
- 5.4 After proceeding with the actions of Step 2, written documentation shall be placed in the employee's personnel file describing the misconduct or performance problem, and the actions taken by the employee and the Supervisor, or Department Head if the employee is a Supervisor, to address the misconduct or performance problem.

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**6. STEP 3 - WRITTEN WARNING**

- 6.1 Where a Supervisor has 1) had previous discussions with the employee regarding a misconduct or performance problem, 2) provided clear direction as to the change required, and 3) provided assistance in making this change and insufficient change has occurred, it is appropriate that the Supervisor issue a written warning to the employee.
- 6.2 Where a written warning is being considered, the Supervisor shall discuss the circumstances with the Department Head before issuing the warning. In the event the employee exhibiting the misconduct or performance problem is a Supervisor, the Department Head shall discuss the circumstances with the County Commissioner before issuing the warning.
- 6.3 The written warning shall describe the misconduct or performance issue that is causing concern, the required changes expected, and the support which the County is prepared to provide. The written warning is intended to reinforce the seriousness of the County's view of the misconduct or performance problem. This written warning shall be issued to the employee during a meeting attended by the employee, Supervisor and Department Head.

In the event the employee who is to be issued a written warning is a Supervisor, the Department Head shall issue the warning and the meeting will be attended by the employee, the Department Head and the County Commissioner.

In the event the employee who is to be issued a written warning is a Department Head, the County Commissioner will issue the warning and the meeting will be attended by the employee, the County Commissioner and another Department Head.

- 6.4 The written warning should be in the form of a memorandum addressed to the employee. The memorandum, which is placed in the employee's official personnel file, is to include the following information:
  - o that the matter was discussed and a copy of the memorandum was provided to the employee;
  - o the names of those participating in the meeting; and
  - o the date upon which the memo was provided to the employee.

**7. STEP 4 - SUSPENSION**

- 7.1 Suspension of an employee will take place where it appears that a serious situation that requires further investigation has occurred and it is determined that the employee's presence will hamper the investigation or bring about morale or security problems for the County.
- 7.2 Where a situation as described in 7.1 occurs, the County Commissioner shall be advised and may, at his discretion, suspend the employee without pay pending results of an

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investigation.

7.3 Where an employee is suspended pending the results of an investigation, the employee shall be so informed in writing by the County Commissioner and a copy of the letter shall be placed in the employee's personnel file. The letter shall include the following information:

- o the misconduct or performance problem that resulted in the suspension;
- o the actions previously taken by the County;
- o the evidence pointing to the continued failure of the employee to improve in the area(s) of concern;
- o the consequent decision of the County to suspend the employee; and
- o the date the suspension is to take place.

**8. STEP 5 – DISMISSAL**

- 8.1 In circumstances where the above steps of the Progressive Discipline Process have proven ineffective in dealing with the employee misconduct or performance problems, the final step of the disciplinary process is termination of the employee for just cause.
- 8.2 In all cases where an employee is to be considered for dismissal the advice of legal counsel will be sought prior to terminating the employee.
- 8.3 The authority to dismiss employees at the non-Supervisory level shall rest with the Supervisor, in consultation with the Department Head.
- 8.4 The authority to dismiss employees at the Supervisory level shall rest with the Department Head, in consultation with the County Commissioner.
- 8.5 The authority to dismiss an employee reporting directly to the County Commissioner shall rest with the County Commissioner.