POLICY:		POLICY NUMBER:
Progressive Discipline		**HR-1-4**
		PREVIOUS/REPLACES: **Progressive Discipline**
APPROVED BY: **Executive Council**	EFFECTIVE DATE AS OF: **July 13, 2023**	PRIOR VERSIONS: **March 13, 2017** **November 20, 2015**

1. Policy Statement:

The purpose of this policy is to define the appropriate measures to undertake when an employee's performance and/or conduct is unsatisfactory or fails to meet expectations after completion of the probationary period.

Disciplinary action and/or dismissal may be necessary in the following circumstances:

- Unsatisfactory job performance;
- Actions that contravene policies, procedures, and regulations of MITT.
- Health and safety violations and concerns.
- Inappropriate behavior such as but not limited to harassment, theft, violence, insubordination, disobedience, dishonesty, inappropriate off-duty conduct; and
- Any other concerning behavior and/or issues.

Discipline or dismissal may take any of the following three actions:

1. Progressive discipline
2. Termination of employment for just cause (no notice required)
3. Termination of employment (notice required)

2. Scope:

All employees not covered by the Collective Agreement.

3. Procedure:

Employees will be given four opportunities to correct the unwanted behavior, unless the behavior or concern is one of a severe nature, in which case, progressive discipline can be accelerated to match the violation. Typically, using the Employee Incident Document Form, or any other means of communication to file a concern, progressive discipline will progress through the following steps:

1. Coaching
2. Verbal Warning
3. Written Warning
4. Final Warning
5. Termination Review

With each violation or apparent problem, the employee will be provided with a written document to:

1. Alert them to the problem and provide a reiteration of the correct company policy regarding the violation;
2. Advise them of the consequences associated with further infractions; and
3. Provide a suggestion towards a method of improvement.

Degrees of discipline shall be applied in relation to the problem at hand, steps may be accelerated depending on the individual circumstances and the nature of the violation. As the situation dictates, based on the past performance of the employee, and/or the seriousness of the violation, MITT reserves the right to modify this process which may include skipping the four step disciplinary process and move straight to termination where necessary.

Step 1 – Additional Targeted Coaching:

Coaching employees is an on-going managerial function. The first step to deal with a problem is to enhance coaching and provide in a targeted manner to deal with the unwanted behavior. The appropriate manager will meet with the employee to discuss why their behavior is concerning. The manager will give clear direction on what the employee should or must do to improve performance. The manager will give the employee the opportunity to discuss the issue, including barriers that may be preventing them from meeting expectations. The manager will discuss ideas, solutions, and required resources for the employee to remove or reduce those barriers. The manager will discuss immediate steps required from the employee, future meetings, or check-in points, and will discuss the next steps in progressive disciple should the issues persist.

Step 2 – Verbal Reprimand:

The appropriate manager will meet with the employee to address the performance or behavior in question with a view to resolving the problem. Notes will be taken regarding the conversation should further action be required in the future.

Step 3 – Written Warning

If the problem persists, the manager will provide the employee with a written warning that details the objectionable behavior and the consequences if it does not change. A performance improvement letter will be written by the manager in conjunction with People Services specifying the time frame for

improvement and indicating that continued failure may result in termination.

The employee is required to sign the letter indicating acknowledgment. A copy of the letter will be placed in the employee's personnel file.

If the employee does not sign the performance improvement letter, People Services will follow-up with the employee to ensure that they understand the written warning, concerns with performance, and the disciplinary process. People Services will confirm that the employee has chosen not to sign the letter and will document this meeting in the employee's file.

Step 4 – Final Warning:

If performance or behavior does not improve a final warning is written by the manager in consultation with the Director, People Services and Organizational Development which will be delivered in writing and added to the employee's personnel file. The warning will include copies of the previous warnings and it will outline areas where the employee must improve and the time frame for the behavior/performance to be corrected.

Employees may be put on a review period following the final written warning. The review period will last three months. During the review period the employee will be excluded from wage increases and advancement.

Step 5 – Termination Review:

The final stage of progressive discipline is termination of employment. The manager must notify People Services. The President and the appropriate Vice-President will then be informed of the concern and are required to provide final approval before terminating the employee. A termination letter will be written which will require the signature of the President. A copy of the letter will be placed in the employee's personnel file. The manager and People Services will conduct a termination meeting with the employee. The employee will be asked to return all MITT property.

The length of time that a formal warning will be remain in an employee's file is dependent on the nature of the infraction. This will be determined by the department manager and the Director, People Services and Organizational Development on a case-by-case basis.

4. Administration:

The Director, Human Resources and Organizational Development is responsible for ensuring this policy is adhered to.

5. Review:

This policy will be reviewed by Executive Council every five years. This policy shall remain in effect until amended or revoked regardless of the five-year review.

6. Reference:

Employee Incident Documentation Form
Performance Evaluation – Instructors
Performance Evaluation – Non-Instructors MITT
Expectations of Staff
Off-Duty Code of Conduct by Employees

7. Definitions:

Just Cause refers to conduct that is of such a serious nature or extent that it essentially breaks the employment relationship. Some examples that may constitute just cause include but are not limited to the following:

- Theft
- Dishonesty
- Violence
- Willful misconduct
- Habitual neglect of duty
- Disobedience
- Conflict of interest

Progressive Discipline – An increase in severity of disciplinary measures to correct behaviors and to improve an employee's performance and/or conduct to meet the expected standards.