
SCHOOL DISTRICT NO. 36 (SURREY)

No.7200.1

REGULATION: EMPLOYMENT CONDITIONS

DISCIPLINE AND DISMISSAL (REFERENCE: POLICY 7200 [3])

1) **INTRODUCTION**

In the exercise of discipline, a distinction must be made between non-culpable and culpable behaviour. In the former case, an employee does not have the capacity to correct a problem, and may not even recognize its existence; in the latter, the employee is capable of correcting a situation, and “progressive discipline” procedures are to be followed.

2) **NON-CULPABLE**

As progressive discipline procedures are intended to correct performance or behaviour deficiencies, they serve no real purpose where a person is unable to bring about an improvement in a situation or even to recognize the need for such improvement. In a situation where it might be deemed advisable to relieve an employee of his/her duties because the employee’s physical or mental health poses a potential or immediate danger to others, as an example, discipline, as such would not normally be appropriate.

3) **CULPABLE**

Where an employee has it within his or her power to correct a problem or improve a situation, on the other hand, culpability is to be recognized and progressive discipline is to be applied. As noted, progressive discipline is intended to afford employees the opportunity to correct performance deficiencies and to escalate the nature of the disciplinary action taken only if the opportunity to improve is not acted upon by the employee.

As a general rule, the following progressive steps will be taken in culpable instances:

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|-----|----------------|---|
| i) | Consultation | Ensuring that the employee understands the problem and establishing performance and/or behaviour expectations. |
| ii) | Verbal Warning | Advising the employee that more serious disciplinary action may follow if the situation is not corrected or improvements are not forthcoming. |

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- iii) Written Warning Confirming verbal warning(s), and noting that expectations have not been met. Written confirmation that further and more serious disciplinary action may follow if the situation is not corrected or improvements not forthcoming. (Copy of written warning to Human Resources and, as applicable, to CUPE or STA.)

- iv) Suspension (with or without pay)
 Periods of suspension and attendant conditions will vary according to circumstances.

- v) Dismissal Authority to effect dismissal determined by Policy 7200, collective agreements, or contracts of employment.

4) **DISCIPLINARY PROCEDURES**

Personnel who are authorized to effect disciplinary measures should consult with their department heads and Human Resources staff, whenever possible, before effecting disciplinary measures (particularly with respect to suspensions or dismissal) because the circumstances may dictate an exception to the normal procedures outlined above:

In some circumstances, or when considerable duration has passed since a previous written warning was issued, a second written warning may be more appropriate than a suspension. Suspensions should not be for a longer period than is required to emphasize the importance of immediate improvement. And there may be circumstances when a second and longer suspension would be more appropriate than dismissal.

At the same time, certain performance expectations are “givens” and when these performance expectations are not met, serious disciplinary measures are in order without proceeding through preliminary progressive discipline steps.

Implemented: 1990-06-14
