Administrative Procedure 214

Personnel and Employee Relations

PROGRESSIVE STAFF DISCIPLINE

Background

Each employee is expected to perform the duties and responsibilities required to fulfill the position for which the person is employed. Where an employee fails to meet these expectations, or otherwise exhibits misconduct as to warrant discipline, the Superintendent, or their designate, has the authority to apply disciplinary actions designed to restore a satisfactory level of productivity by the employee or to otherwise address employee misconduct and/or behaviors. STEM Collegiate has established a set of reasonable procedures for supervisors to follow. These procedures are set forth in consideration of the overall proper and optimal functioning of STEM Collegiate.

Definitions

General Misconduct is defined as part of this policy as misconduct that is subject to progressive discipline, meaning that repeated or additional misconduct will result in increasing levels of discipline, up to and including termination of employment without notice, payment in lieu of notice, or severance pay. Examples of General Misconduct include, but are not limited to:

- Failing to meet an acceptable level of performance in carrying out one's job duties and responsibilities despite receiving feedback and/or appropriate guidance on job expectations.
- Leaving job tasks incomplete.
- Lying, either overtly or by omission, when asked for information by a supervisor.
- Insubordination or failure to follow the instructions given by a leader or supervisor.
- Refusal to regularly attend scheduled meetings deemed necessary for school operation such as; staff meetings, professional development, program development, academic planning with peers, and student learning teams, etc.,
- Failing to comply with the absence management process, arriving late, leaving early, or taking extended coffee breaks or lunch breaks.
- Disrespectful comment or conduct towards an employee, student, or parent/family.
- Attending to personal affairs during work time, which may include but are not

limited to, spending too much time on one's cell phone, or chatting with other employees.

- Unprofessional tone in written or verbal communication with staff, students and parents/families.
- Discrimination or harassment of a non-physical nature.
- Failing to maintain confidentiality while handling confidential information or documents in accordance with FOIP.
- Poor, unbecoming and/or questionable conduct on any type of social media, even if it occurs outside of school hours, weekends or during scheduled school breaks.
- Attendance at work under the influence of alcohol, cannabis, or drugs.
- Criticism of a colleague's job performance and/or personal conduct to a third party without their knowledge or consent.
    - *All concerns should be first address 1:1 with the person, providing them with a dignified way to address the issue, then, if the problem is still not solved, both individuals are to book a meeting together with their direct supervisor.*

- Failing to dress in a manner appropriate to the employee's position. It is expected that all STEM Collegiate staff dress in a professional manner.
    - *While there are no strict dress code guidelines for staff, what you wear should present yourself in a manner that reflects positively on you and show that you are proud to work at STEM Collegiate. Here are some examples of items that would not be considered appropriate: Heavily worn or soiled sneakers, Flip-flops, Stained or wrinkled clothing, Damaged or distressed clothing, Tight or overly revealing clothing, Excessively oversized clothing, Short-shorts or miniskirts, Tank tops or strapless shirts, Backless or low-cut tops, Clothing that exposes the midriff, Clothing with large logos or text, Shirts with silly, childish or provocative sayings/text, Tops or jackets with gory or disturbing images.*

- Failure to meet the professional practice standards of competency for STEM Collegiate staff who are also members of a regulated profession (i.e., teachers, accountants, lawyers).
    - *Professional practice standard for Alberta teachers (TQS), principals and school leaders (LQS) are Ministerial Orders, making all teaching professionals accountable for their applicable standard to the Minister of Education.*

- Failing to wear appropriate personal protective equipment.
- Failing to lock-out/tag-out broken equipment or inappropriate use of any equipment that results in damage or accident.
- Failing to report to the Supervisor a workplace accident that results in lost work time or medical care.

- Failing to protect STEM Collegiates assets or follow safety protocols with regards to setting alarms, key control etc.
- Abuse of any School Policies/Administrative Procedures/Benefits offered by STEM Collegiate.
- Other (as determined by the Superintendent).

Gross Misconduct is a single act of misconduct that is of such a serious nature, which will result in immediate termination of employment without notice, payment in lieu of notice, or severance pay. Examples of Gross Misconduct include, but are not limited to:

- Theft.
- Harassment of a physical and sexual nature.
- Fighting/Assault/Violence or an attempt at violence.
- Possession or use of alcohol or controlled substance on Division's property (includes school buses) and premises.
- Possession or use of a firearm or other weapon on Division's property and premises.
- Falsifying a company document/record or submitting a document/record that contains false or misleading information for payment or reimbursement, which would result in personal gain for the employee.
- Other (as determined by the Superintendent).

There could be acts of misconduct that are not specifically listed above. For acts of misconduct that are not listed, Supervisors must consult the authorized STEM Collegiate staff representative from Human Resources to determine whether it is General Misconduct or Gross Misconduct.

Procedures

These procedures apply to all employees that work for STEM Collegiate. In the event an employee violates a STEM Collegiate policy, procedures, or exhibits problematic behavior, in most circumstances STEM Collegiate will consider progressive discipline. This Administrative Procedure in no way fetters the Supervisor or the Superintendent, from taking any action, disciplinary or administrative measure, or exercising any right or power under the Education Act where employment related action is warranted.

1. Verbal Warning

1.1 In a private conversation with the affected employee, the performance or

behavior must be clearly stated. Always provide the employee the perspective to explain their side of the situation.

1.2 A written summary of the conversation will be provided. A copy of the summary may be kept by the principal in the employee's working file at the school or central location.

2. Letters of Concern and Expectation

2.1. State the type of letter issued.
2.2. Alert the employee to the problem and specify the problem behavior.
2.3. Remind the employee of any previous verbal or written admonitions provided relating to the issue.
2.4. Reiterate the expectations.
2.5. Advise the employee of the consequences associated with further disciplinary infractions.
2.6. Contain other information deemed pertinent.
2.7. All concerns will be investigated by appropriate personnel before determining if discipline will result. Letters of Concern and Expectation are not deemed disciplinary letters.

3. Letter of Reprimand

3.1. State the type of letter issued.
3.2. Alert the employee to the problem and specify the problem behavior.
3.3. Remind the employee of any previous verbal or written admonitions provided relating to the issue.
3.4. Reiterate the expectations.
3.5. Advise the employee of the consequences associated with further disciplinary infractions.
3.6. Contain other information deemed pertinent.
3.7. Letters of Reprimand are deemed disciplinary letters.
3.8. All employees issued a letter of reprimand are then called to a meeting with STEM Collegiate Human Resources and their direct supervisor to determining if discipline will result as the next step.

4. Suspension

4.1. If the problem(s) persists following the Letter of Reprimand, the Superintendent, or their designate, will suspend the employee with pay. A written letter will be given to the employee at the time of suspension

outlining the job expectations and future consequences if they are not met, including termination.

5. Termination

5.1. If the employee is unwilling to make the necessary changes to behavior or performance and all previous steps have failed to elicit the necessary response, termination of employment will be taken.

5.2. Certain violations such as threat or act of violence, theft, fraud and illegal use or sale of drugs will be grounds for immediate termination.

6. Supervisors must obtain advice from the STEM Collegiate Human Resources staff relative to the contents and wording of any Letter of Concern and Expectation or Reprimand prior to the letter being issued.

7. Any letter issued to the employee by the Supervisor will be followed by a meeting scheduled shortly after the issuance.

8. Any Letters of Concern and Expectation or Reprimand must be forwarded to Human Resources STEM Collegiate staff for inclusion in the employee's personnel file, and the letter will indicate a copy has been so forwarded.

9. Employees who have a letter placed on their personnel file have the right to provide a written response to the letter and that response will be attached to the letter and kept in the personnel file.

10. The Supervisor is to document to their own working file the date and description of any conversations with, or verbal warnings given to, the employee relative to behavior of concern.

11. This administrative procedure will not restrict the Superintendent or designate from taking steps to suspend or terminate the service of a staff member, without first adhering to the above-described steps, where the Superintendent or designate has reasonable ground for believing that the actions or practices of a staff member endangers the safety of students, other staff, or parents, or constitutes a neglect of duty, breach of trust, or a refusal to obey a lawful order given by or on behalf of the Board.

12. Suspensions and terminations will be carried out in accordance with applicable legislation and only by the Superintendent or designate. No decision made under

this Administrative Procedure is appealable to the Board.

References: Alberta Education Act & Grande Yellowhead Public School Division AP145*

*AP 241 was written using the framework, format, and language from: *Grande Yellowhead Public School Division AP 415 – Progressive Staff Discipline Policy.* Sections and phrases were adapted to meet the context required for STEM Collegiate Canada.

Approved: January 2024