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## Chapter 02 Town of Mahone Bay Employee Discipline Policy

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### **PURPOSE**

To establish the procedure for employee discipline, in an effort to protect the interest of the Town and the employee.

### **POLICY**

It shall be the policy of the Town of Mahone Bay to be fair and just in dealing with each and every employee. To ensure fair and equal treatment, it is necessary to establish a uniform procedure for disciplinary action, which should promote understanding of what is considered unacceptable conduct and encourage consistent action in the event of violators.

Any person in supervisory position finding it necessary to reprimand an employee should keep the following matters in mind.

(1) Every type of disciplinary action taken against an employee should be based upon just cause fully attributable to the employee.

(2) Reprimands should be administered in private.

(3) The employee should be given a chance to tell their story. (This will depend, of course, on the nature of the incident-giving rise to the reprimand).

(4) Infractions must be carefully explained to the individual, as must be the punishment. If a suspension is involved, the employee must receive a full understanding of what it means, if the employee faces discharge, the employee must have this in a clear statement.

The following is to be viewed as the guiding policy insofar as taking disciplinary action for infractions of Municipal rules and misconduct is concerned:

#### **(1) First Infraction**

If not in itself serious enough to warrant suspension or discharge, an employee will be given a verbal warning and advised that another offense will result in a written warning.

## (2) Second **Infraction**

If not in itself serious enough to warrant suspension or discharge, an employee will be given a written warning and advised that another infraction will result in suspension.

## (3) Third **Infraction**

If not in itself serious enough to warrant discharge, an employee will be given up to five (5) days suspension without pay and warned that another infraction will result in discharge.

## (4) Fourth **Infraction**

An employee will be discharged, and it will be pointed out to the employee in writing the reasons for the discharge.

Attached is a list of infractions which may occur which will lead to the disciplinary action noted. Obviously all infractions or situations could not be covered by this list; therefore, infractions subject to disciplinary action are not restricted to this list.

The following procedure shall be followed, and records kept, with respect to disciplinary action taken:

(1) Verbal warnings shall be noted in the employee's personnel file.

(2) A copy of a written warning shall be given to the employee and a copy should be placed in the employee's personnel file. It is recommended that a printed acknowledgement of receipt of the warning be signed by the employee on the reprimand or warning slip.

(3) A report on the suspension of an employee shall be placed in the employee's personnel file. In addition to verbally informing the employee of a suspension, s/he should be informed in writing with reference made to previous disciplinary action received by the employee.

(4) When it becomes necessary to discharge an employee, the employee shall be given a termination slip indicating the reason for the discharge. The termination slip should make reference to previous disciplinary action and should specify when the discharge is to become effective.

**Disciplinary action will become a permanent part of the employee's record for a period of one year.** At the end of the year, if the employee is still on payroll, and, if the employee has a good record for that one-year period, all disciplinary action will be removed from his personnel file and given to the

employee in a private conference. The employee shall be told that this record has been wiped clean by his good conduct over this given period.

Whenever it becomes necessary to discharge an employee the Department Head, where the employee is working, should have a full discussion with the CAO and the Town Solicitor concerning the employee. Such discussion is desirable to ensure that the Town is acting within the limits of the law. The CAO is responsible for the discharge of the employee with the exception of a Dept Head whereby the responsibility shall be a decision of Town Council.

### **LIST OF OFFENCES AND DISCIPLINARY ACTION**

In accordance with the covering policy and procedure, there are normally four progressively more severe steps in the disciplinary process - verbal warning, written warning, suspension, and discharge. However, depending on the severity of the infraction, any of the first three steps may be dispensed with.

**Legend:**

- VR** - Verbal Reprimand
- WR** - Written Reprimand
- S** - Suspension
- D** - Discharge
- Z** - From verbal warning to dismissal depending on nature of offence.

	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>	<b>4<sup>th</sup></b>
1. Reporting to work intoxicated.	S	D		
2. Using alcohol beverage or drugs during working hours.	S	D		
3. False statements on application.	D			
4. Intentionally reporting incorrect information or falsifying records.	Z			
5. Stealing - either from fellow employees or from the Town.	D			
6. Carrying or using firearms, fireworks or any other weapon on Municipal property.	D			
7. Posting and/or removing and/or tampering with official bulletin board notices without authorization.	S	D		
8. Willful destruction or defacing property of the Town.	Z			
9. Fighting during working hours.	Z			

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| 10. Abusive or threatening language to any supervisor or to any fellow employee.  | Z         |
| 11. Failure to report to your supervisor any accident you have while at work.   | Z         |
| 12. Insubordination (refusal to perform service connected with an employee's immediate supervisor, or, refusal to obey any reasonable order given by the supervisor or by management. | D         |
| 13. Leaving place of work during working hours without permission.  | VR WR S D |
| 14. Repeated failure to report to work on time, or leaving early (see policy on Absenteeism/Attendance)   | VR WR S D |
| 15. Unreported absence from work (see policy on Absenteeism/ Attendance)  | WR S D    |
| 16. Interfering with work of fellow employees.  | VR WR S D |
| 17. Disobeying safety regulations and common sense safety precautions.  | VR WR S D |
| 18. Disorderly conduct.   | Z         |
| 19. Sleeping during working hours.  | VR WR S D |
| 20. Speeding and/or careless use driving of Municipal Equipment.  | VR WR S D |
| 21. Inefficiency or lack of application or of effort on the job.  | VR WR S D |
| 22. Poor quality of work or production.   | VR WR S D |
| 23. Misuse or unauthorized use of Town Vehicles or equipment.   | WR S D    |
| 24. Misuse or unauthorized use of Town's computer system, fax and telephone system including cellphone use.   | WR S D    |
| 25. Misuse or unauthorized use of Town's Credit Cards   | S D       |
| 26. Violation of Municipal Policies outlined in sections of those policy manual (other than those covered above).   | Z         |
| 27. Allowing unauthorized persons to ride in Town Vehicles  | VR WR S D |

**Clerk's Annotation For Official Policy Book**

Date of Notice to Council Members of Intent to

Consider {7 days minimum notice}: February 14, 2006

Date of Passage of Current Policy: February 23, 2006

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Clerk/CAO February 26, 2006  
Date