Discipline and Termination
(Applies to administrative and professional staff only.)

2. General Policy Statement

2.01 The University recognizes it has a responsibility to inform administrative and professional staff of unsatisfactory performance in a timely and open manner and also where appropriate to provide employees an opportunity to correct unsatisfactory performance.

2.02 The efforts made by the University in making the remedial efforts are expected to increase as the length of service with the University increases.

3. Definitions

3.01 Gross Misconduct: action or inaction on the part of the employee such that the employment relationship itself is repudiated or irrevocably damaged. Gross misconduct may include, but is not limited to the following:
  - absence without leave,
  - assault,
  - insubordination,
  - negligence,
  - unauthorized possession or use of University property,
  - facilities or services.

3.02 Non-Culpable Circumstances: a situation where an employee is unable to fulfill the requirements of the employment relationship because of circumstances over which he/she has no control.

3.03 Unsatisfactory Performance: may either be action or inaction on the part of the employee which is a form of misconduct (but not gross misconduct), or be the failure to satisfy job performance requirements, where reasonable remedial efforts may return the employee to satisfactory levels of performance.

3.04 Progressive Discipline: is a process intended to raise the employee's awareness of the problem and the need to change based on an escalation of the consequences for failure to comply.

3.05 Suspension: disciplinary action taking the form of an imposed absence from work, normally without pay.

3.06 Demotion: a transfer to a position in a lower salary grade because the employee does not meet the established job objectives.

3.07 Termination: an involuntary ending of employment which may be imposed for:
  - gross misconduct,
  - unsatisfactory performance,
  - non-culpable circumstance.
3.08 Trial period: formal period of evaluation where specific objectives will be established. Failure to meet the specified objectives will result in termination.

4. Responsibility

All forms of discipline should be reviewed with the Director of Personnel. Departments are responsible for establishing standards of performance and expectations during trial periods in consultation with the Executive Director, Human Resources. Demotion or termination must have the approval of the appropriate Vice-President. For those individuals whose appointments are approved by the President, demotion or termination must also be approved by the President.

5. Progressive Discipline Policy

5.01 Progressive discipline should be a coaching process involving some or all of the following depending upon the severity of the problem and the length of service and work record of the employee: oral and/or written reminders, oral and/or written warnings, informal and/or formal trial periods, suspension and/or demotion and ultimately termination.

5.02 The application of progressive discipline is flexible. An employee may be initiated into the progressive disciplinary process at any point, depending on the seriousness of the problem encountered. Progressive discipline for misconduct will typically be different than for failure to meet job requirements. A final written warning would be the most common final step in a misconduct situation and a formal trial period most common in a job performance situation. Gross misconduct or termination for non-culpable circumstances may not have been preceded by previous actions. A problem involving the failure to satisfy job performance requirements must include at least one formal trial period prior to any decision to demote or terminate.

6. Progressive Discipline Procedure

6.01 All incidents of misconduct and unsatisfactory performance should be brought to the employee's attention at the earliest possible opportunity.

6.02 Terminations or demotions related to unsatisfactory performance will occur only after the employee has received a final written warning or has been placed on a formal trial period where it is clearly specified that failure to meet the specified objectives will result in termination.

6.03 The following actions will normally be taken in dealing with a performance problem.

   a. The supervisor and the employee will review the job description to ensure complete understanding of the requirements.

   b. The areas of deficiency will be clearly spelled out and the expected standard of performance, along with measurement criteria, fully explained.

   c. The employee will be officially put on notice that the expected standards are to be accomplished by the deadline date. This should be in writing with a copy to the Executive Director, Human Resources. On the deadline date a performance evaluation will assess accomplishment against requirements.

6.04 The length of a formal trial period will reflect the seriousness of the performance failure or misconduct.

6.05 Where an employee has been unable to correct the unsatisfactory performance, consideration should be given to placement in a position within the employee's capability prior to being given notice of termination.
7. **Notice and Termination Policy/Procedure**

**7.01 Continuing Employees**

In the case of termination for gross misconduct or for non-culpable circumstances the employee will be advised of the reasons for the termination and will be given an opportunity to respond prior to any decision being reached by the University. Such termination should be discussed with and have the approval of the appropriate Vice-President.

a. Employees terminated for gross misconduct shall not be entitled to termination notice nor are they eligible for severance pay.

b. Employees terminated for unsatisfactory performance will receive four (4) weeks' notice or four (4) weeks' pay in lieu of notice (termination date will always be the last day on which the employee actually worked; any vacation accrued but not used will be paid out on the final pay).

c. Employees terminated for non-culpable circumstances will not normally receive notice or pay in lieu of notice but will instead receive severance pay. Any vacation accrued but not used will be paid out on the final pay. Severance pay will be paid on the basis of four (4) weeks for each full year of service at the University to a maximum of fifty-two (52) weeks.

**7.02 Temporary Employees**

a. Temporary employees who are involved in any form of misconduct will be terminated without notice.

b. In all other cases, temporary employees who have worked less than six (6) months will be given one (1) week's notice and those who have worked more than six (6) months will be given two (2) week's notice of termination.