

Background

All employees are expected to act professionally and with integrity while performing the duties and responsibilities for which they were hired. Pembina Hills School Division is committed to ensuring acceptable employee conduct, behaviour, and performance and supports fair, efficient and equitable solutions for problems arising out of the employment relationship.

Definitions

Supervisor: refers to Principals, Associate Principals, Directors, Managers and Supervisors with the authority to discipline.

Progressive Discipline: the process in which an employee, whose performance and/or behaviour does not meet expectations defined in either the employee's job description or the Teacher Quality Standards, is clearly made aware of the problems and the solutions to improve.

Unsatisfactory Performance: may be either action or inaction on the part of the employee which result in the failure of job performance requirements.

Willful Misconduct or Negligence: may be either action or inaction on the part of the employee such that the employment relationship is destroyed or forever damaged. Gross misconduct may include, but is not limited to:

- Falsifying employment information
- Negligence
- Sexual/physical assault
- Intoxication/illegal drug use
- Absence without approved leave
- Criminal activity
- Unethical behaviour
- Willful destruction of Pembina Hills School Division property
- Endangering the safety of students or colleagues through incompetence or negligence

Procedure

1. Collective agreements should be referred to where appropriate, as well as applicable policies and administrative procedures.
2. Every employee has the right to be made aware of expectations of performance, conduct and behaviour.
3. Suspensions and termination of contracts of certificated staff members shall be made in accordance with the provisions of the *Education Act* and [Policy 11 Delegation of Authority](#).
4. Depending upon the severity of the action, the initial occurrence may not follow the steps of progressive discipline and result in more severe disciplinary action.

5. Employees whose performance is unsatisfactory shall be given a Notice of Evaluation.
6. Employees who are not meeting acceptable standards of conduct and/or behaviour, will be subjected to corrective action according to the progressive discipline process:
 - 6.1. Verbal notice from the supervisor to the employee:
 - 6.1.1. Verbal notice must address the area of concern, the expected change, and the outcome if the conduct/ behaviour is not corrected;
 - 6.1.2. The verbal notice must be given in a private meeting;
 - 6.1.3. The supervisor is to ensure the employee understands the standard that is expected;
 - 6.1.4. The employee is to be given an opportunity to respond and/or explain contributing factors;
 - 6.1.5. Documentation of the verbal notice and the employee's response shall be recorded by the supervisor and kept in the supervisor's secondary employee file.
 - 6.1.6. The supervisor will provide the employee with a follow-up letter/email to provide a summation of the discussion and expectations. This follow-up letter/email will not be placed in the employee's personnel file.
 - 6.2. Written notice from the supervisor to the employee:
 - 6.2.1. The written notice must include:
 - a description of the incident, including date and location of occurrence and reference to policy, procedure, or code of conduct;
 - reference to the verbal reprimand that preceded the written reprimand and the changes in behaviour that were expected;
 - clear directives on what and how the employee is expected to change;
 - actions that may be taken if the inappropriate behaviour continues.
 - 6.2.2. A copy of the written notice is to be given to the employee. The employee is to be given an opportunity to provide a written response or have one provided on behalf of the employee;
 - 6.2.3. Written notices and the written employee response to the notice shall be placed in the employee's personnel file.
 - 6.3. Written notice from the Assistant Superintendent of Human Resources:
 - 6.3.1. The written notice must include:
 - a description of the incident, including date and location of occurrence and reference to policy, procedure, or code of conduct;
 - reference to the previous discussions/discipline letters that preceded the written reprimand and the changes in behaviour that were expected;
 - clear directives on what and how the employee is expected to change;
 - actions that may be taken if the inappropriate behaviour continues.
 - 6.3.2. A copy of the written notice is to be given to the employee. The employee is to be given an opportunity to provide a written response or have one provided on behalf of the employee.
 - 6.3.3. Written notices and the written employee response to the notice shall be placed in the employee's personnel file.
 - 6.4. Termination
 - 6.4.1. In the event the employee's conduct and/or behaviour is not corrected through the progressive discipline process, the Superintendent or designate, based on a recommendation from the Supervisor, may terminate the employee's employment with the Division.

- 6.4.2. A letter confirming the termination of employment shall be given to the employee with a copy of the letter placed in the employee's personnel file.
7. This administrative procedure shall in no way restrict:
- (a) from recommending disciplinary or other action, as appropriate, where the Superintendent or designate has reasonable grounds for believing that the actions or practices of the employee endangers the safety of students, constitutes a neglect of duty, a breach of trust or a refusal to obey a lawful order of the school authority, or;
 - (b) the Board or the Superintendent from taking any action or exercising any right or power under the *Education Act*.

Reference

[Education Act](#)
[Alberta Employment Standards Code](#)
[Policy 11 Delegation of Authority](#)
[AP 40-47 Employee Code of Conduct](#)