

**LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA
POLICY MANUAL**

SECTION	Human Resources
POLICY	4050 – Progressive Discipline

Objective To establish a fair and consistent progressive discipline framework that outlines the Legislative Assembly’s expectations for employee performance and conduct, identifies processes and actions that may be taken to address disciplinary matters, and provides employees with the opportunity to improve their performance or conduct.

Application This policy applies to all employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

Authority Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

Key Definitions “**discipline**” means an action imposed to correct an employee’s inappropriate conduct or poor performance and/or to clarify expected conduct or performance;

“**employee file**” means a collection of records maintained by Human Resources about an individual’s employment relationship with the Legislative Assembly;

“**progressive discipline**” means a disciplinary process in which the disciplinary actions become more formal and severe as they progress;

“**supervisor**” means the person the employee directly reports to.

1. General .01 Employees must meet standards of performance and conduct, demonstrate respectful behaviour towards others, and be accountable for their actions. When an employee’s performance or conduct fails to meet the Legislative Assembly’s expectations, including contraventions of *Policy 4015 – Standards of Conduct*, corrective action may be taken using progressive discipline.

.02 Supervisors are responsible for informing employees of their expectations for performance and conduct, managing employees effectively by providing ongoing feedback and coaching on work performance and conduct, and maintaining appropriate documentation pertaining to disciplinary matters.

.03 Supervisors are required to consult with Human Resources prior to and throughout the progressive discipline process. The respective department head and, if the circumstances warrant, Clerk’s Leadership Group member responsible for overseeing the employee’s

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department, must provide approval of actions taken in accordance with this policy.

2. Progressive Discipline

.01 Employee disciplinary action may be initiated in situations such as, but not limited to:

- a) unacceptable attendance;
- b) unsatisfactory performance;
- c) inappropriate behaviour; or
- d) breach of policy.

.02 The Legislative Assembly can determine the level of discipline applied based on the seriousness of the behaviour or misconduct.

.03 Disciplinary action may be initiated in situations such as, but not limited to:

- a) an employee not satisfactorily meeting work requirements;
- b) an employee breaching a Legislative Assembly policy; or
- c) an employee demonstrating inappropriate conduct.

.04 Progressive discipline must be undertaken promptly after the supervisor becomes aware of the behaviour, incident, or misconduct which must be addressed, or once a workplace investigation conducted under an applicable policy has concluded.

.05 If the desired result of corrective action is achieved, in which the employee's conduct or behaviour improve, the progressive discipline process concludes, and the employee will be notified of this in writing by their supervisor.

.06 In situations in which it is decided that an employee should be removed from the workplace while an investigation is ongoing, the employee will be placed on administrative leave from the workplace and their duties.

.07 The findings of any workplace investigation undertaken in accordance with this policy are deemed to be final.

3. Steps of Progressive Discipline

.01 In each of the progressive discipline steps, the employee will be provided with:

- a) a description of the incident(s), including evidence or the results of any investigation and the date of the incident(s);

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- b) an explanation of why the behaviour is problematic;
- c) any previous instances of disciplinary action initiated against the employee for the same or related conduct;
- d) the expectations for performance and conduct;
- e) any supports available to assist the employee to correct the behaviour; and
- f) the consequences of failing to correct the behaviour within a designated time frame.

.02 An employee must be informed in advance if they are required to attend a meeting regarding discipline, and may be accompanied by a support person.

.03 The progressive discipline process typically follows the following steps, increasing in severity upon re-occurrences of misconduct or poor performance:

1. Verbal Warning: the employee receives a verbal warning from their supervisor, and the supervisor documents the discussion.
2. Written Warning: the employee receives a written warning from their supervisor.
3. Suspension: the employee may be suspended without pay for a defined period, and, in such instance, receives written notification from Human Resources.

.04 Any written documentation of disciplinary action will be placed in the employee file for two (2) years and thereafter removed, provided that there has not been a recurrence of a related incident during that period, unless a determination is made otherwise by the Chief Human Resources Officer in extenuating circumstances.

4. Termination with Cause

.01 If an employee’s misconduct or poor performance is not corrected using the progressive discipline process or is serious to an extent to which the employment relationship is irreparably damaged, the Legislative Assembly may terminate the employment relationship with cause.

.02 The termination decision will be made by the Clerk’s Leadership Group member responsible for overseeing the employee’s department, on the recommendation of the department head, and in consultation with the Chief Human Resources Officer.

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Contact Please contact Human Resources with any questions regarding this policy at Human.Resources@leg.bc.ca.

References **4015 – Standards of Conduct**



Approved and authorized by
Kate Ryan-Lloyd, Clerk of the Legislative Assembly

May 21, 2021

Date

POLICY HISTORY

Version 1	May 21, 2021
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