



Progressive Discipline

Date of Issue: June 2025

Reviewed/Revised:

Memo To: All Staff

From: Director of Education

ACCESSIBILITY:

To request this file in large print, please email aoda@wcdsb.ca or call (519) 578-3660.

PURPOSE:

It is the Mission of Waterloo Catholic District School Board to 'educate and nurture hope in all learners to realize their full potential.' To achieve this mission the Board is committed to providing a positive work and learning environment for all employees and students with a focus on quality Catholic Education. As part of this commitment, the Board seeks to address performance problems and resolve misconduct issues in the most positive manner possible.

It is the responsibility of all employees to carry out their responsibilities in a co-operative and professional manner, in compliance with Board policies and procedures, collective agreements, terms and conditions of employment and any applicable legislation. Employees that engage in conduct that is contrary to the expectations for their role and/or conflicts with Board policies and procedures may be subject to disciplinary action.

The Board will apply progressive discipline, where appropriate, when addressing employee misconduct issues. This procedure provides a general framework for progressive discipline and other corrective measures that may be utilized to ensure employees uphold appropriate conduct. This procedure does not pertain to non-culpable employee performance issues.

REFERENCES:

- [WCDSB Mission and Vision](#)
- [Education Act](#)
- [Ontario College of Teachers' Act](#)
- [Early Childhood Educators Act](#)
- [Social Work and Social Service Work Act](#)
- [Psychology and Applied Behaviour Analysis Act](#)
- [Audiology and Speech-Language Pathology Act](#)
- [Criminal Code of Canada](#)
- [Family and Children's Services Act](#)



- [Occupational Health and Safety Act](#)
- [Municipal Freedom of Information and Protection of Privacy Act \(MFIPPA\)](#)
- [Ontario Human Rights Code](#)
- [Code of Conduct: APC 018](#)
- [Responsible Use of Information Technology and Electronic Data – Staff: APS 017](#)
- [Suspected ‘Child in Need of Protection’ Reporting: APS020](#)
- [Workplace Harassment/Discrimination Prevention: APS024](#)
- Collective Agreements

FORMS:

- N/A

REPORTS:

- N/A

APPENDICES:

- N/A

COMMENTS AND GUIDELINES:

DEFINITIONS

Culpable: To be at fault or deserving of blame.

Non-culpable: Not at fault or not deserving of blame due to factors outside of an individual’s control.

Demotion: The permanent reassignment of an employee to a different position of less responsibility at a lower payrate.

Just Cause: Disciplinary action that is based on principles of truth, fairness, and reason, aligned with established standards known to the employee. The discipline must withstand legal scrutiny, being considered equitable and justified, based on the information revealed through a comprehensive investigation.

Misconduct: A culpable (blameworthy) action or inaction by an employee that is contrary to workplace policies, procedures, professional standards or expected performance standards.

Some examples of misconduct include, but are not limited to, the following:

- inappropriate behaviour
- violation of the *Code of Conduct* (APC018)
- violation of the *Workplace Violence and Harassment Prevention Policy* (APS024)
- a breach of other WCDSB policies, procedures, guidelines or standards
- violation of Provincial or Federal legislation as applicable
- behaviour that puts the well-being and safety of students and staff at risk
- insubordination
- negligence
- criminal activity
- discrimination
- use of hate speech or other forms of derogatory language

- damage to WCDSB property
- intentional disclosure of confidential student, staff or WCDSB information
- inappropriate use of social media
- inappropriate use of WCDSB technology
- conduct outside of the workplace and working hours (off duty), that negatively affects the reputation and/or business interests of the Board, or which negatively impacts the workplace, including the health and safety of co-workers and students
- professional misconduct

Progressive Discipline: A process of increasingly formal steps for dealing with job related misconduct that does not meet expected and communicated policies, procedures and standards. The primary purpose of progressive discipline is to improve performance through the provision of feedback to the employee to help correct the problem.

Professional Misconduct: An act or inaction inconsistent with or contravening the regulations that govern a professional body to which the employee belongs.

Unprofessional Conduct: Behaviour that is considered disrespectful, disruptive, inappropriate in a professional setting or that negatively affects the workplace.

Workplace: Any premises, location or thing at, upon, in or near which an employee performs their job duties. Workplace includes virtual platforms where employees interact with co-workers and students in a professional capacity.

PROCEDURE

1.0 General

- 1.1 It is the responsibility of the Board to establish rules governing the conduct of employees and ensure there is compliance with Board policies and procedures, collective agreements, terms and conditions of employment, professional standards of practice, and any applicable legislation.
- 1.2 The Board strives to facilitate a positive working relationship between and among employees and acknowledges that employees are normally professional and trustworthy. However, when there are incidents of misconduct the Board is responsible for correcting the behaviour and discouraging its recurrence.
- 1.3 Discipline should be based on regular supervision. Whenever there is a concern with misconduct or performance, it needs to be addressed with the employee as soon as reasonably possible. It is unreasonable to expect the employee to improve if the employee is unaware that improvement is required.
- 1.4 The progressive discipline process should be applied in a consistent, fair and objective manner. Any disciplinary action taken must be consistent with the concept of 'just cause.' Should an investigation need to be conducted, discipline will not be issued until the facts required to make an informed decision on the matter have been reviewed.

- 1.5 All disciplinary matters must remain confidential in accordance with all applicable legislation. Specific details of any investigation involving Board employees including, but not limited to, the outcome will only be disclosed in accordance with applicable legislation.
- 1.6 This procedure is aligned with legal precedents and information contained within collective agreements and terms of employment as relevant. In the event any section of this procedure conflicts with a clause in the applicable collective agreement, the collective agreement will prevail.

2.0 Non-Disciplinary Actions

- 2.1 Where an incident or behaviour does not comply with Board expectations, and where there has been no prior discipline, it may be appropriate and sufficient to provide support to an employee through a non-disciplinary format. Non-disciplinary responses to employee behaviour or misconduct are not considered part of the progressive discipline process. Non-disciplinary actions focus on coaching and expectations and provide the employee with an opportunity to correct the behaviour.
- 2.2 Non-disciplinary formats may include the following:

Coaching conversation - a discussion between the supervisor and employee which, where appropriate:

- describes the issue which resulted in the coaching conversation;
- explains why the behaviour or actions was unacceptable;
- allows the employee to provide an explanation;
- describes the expected conduct which would comply with WCDSB policies, procedures and/or standards;
- provides a corrective action plan; and/or,
- lists additional supports/resources, such as Employee Family and Assistance Program (EFAP), mentoring, and other applicable supports.

Training – informal or formal review of work expectations, practices, policies or procedures. The supervisor may conduct or recommend job specific or compliance training.

Letter of Expectation - a letter to the employee which outlines the expectations for appropriate behaviour. Typically, these letters are appropriate for procedural or operational irregularities, that on an isolated basis, do not warrant discipline, but require direction or clarification of expectations. It may also be appropriate to provide a letter of expectation in response to an isolated incident of misconduct that is minor in nature, in cases where the employee demonstrates genuine remorse and is committed to the correction of the employee's behaviour.

A letter of expectation may be issued by the supervisor during a meeting where expectations are explained or after the meeting, as a record of the meeting. While this meeting is non-disciplinary in nature, employees may, if they wish, have union representation present, where applicable. A copy of this letter will be emailed to the employee. Human Resources Services will not normally be present during these meetings; however, a representative may be present during this conversation at the request of either party

3.0 Progressive Discipline

- 3.1 Where a supervisor believes that an employee has engaged in misconduct, the supervisor will consult with Human Resource Services to determine if misconduct occurred and, if so, the appropriate response.
- 3.2 An employee alleged to have engaged in misconduct is expected to co-operate in any fact-finding or investigation process, as well as any related corrective action.
- 3.3 Employees will be provided with a brief outline of the nature of the alleged misconduct under review, unless doing so is deemed to be detrimental to the situation.
- 3.4 Prior to a disciplinary meeting or a meeting that may lead to discipline, where applicable, the employee will be advised of the right to have a union representative present at such meeting. If the employee chooses not to have a representative present, they will be required to formally waive their right to union representation.
- 3.5 Disciplinary action taken is based on the nature, severity, impact, frequency, or circumstances of the incident.
- 3.6 When an employee that has been issued discipline is a member of a professional college, a report may be made to the appropriate professional college where required under applicable legislation, or at the direction of the governing body.

4.0 Steps of Progressive Discipline

Progressive discipline usually progresses as follows, although progression may alter depending on the nature and circumstances surrounding the issue. Steps may be repeated or escalated up to the point of termination depending on the factors of each unique situation.

1. Recorded Verbal Warning
2. Written Warning
3. Suspension Day Without Pay
4. Multiple Suspension Days Without Pay
5. Termination

In addition to the above disciplinary actions, where appropriate, additional or alternative corrective action may be required, such as, but not limited to, a demotion, mandatory training, restorative workplace measures, school transfer and/or performance improvement plan/out of cycle Teacher Performance Appraisal (OECTA).

Disciplinary actions will be formally recorded in written correspondence addressed to the employee, with a copy provided to the union, where applicable. All letters of discipline are placed in the employee's Discipline File.

4.1 **Recorded Verbal Warning**

Recorded verbal warnings are used for a first offence or where a more severe penalty is not warranted. The recorded verbal warning is provided by way of a written letter. The letter will include a description of the employee's misconduct, expectations for improvement, and the consequence that further misconduct may lead to further progressive discipline.

4.2 **Written Warning**

Written warnings are used when a recorded verbal warning has not corrected the behaviour or the first offence is not minor in nature. The written warning letter will detail the employee's misconduct, expectations for improvement, and the consequence that further misconduct may lead to further disciplinary action up to and including termination.

4.3 **Suspension Day(s) Without Pay**

Suspensions are used when a recorded verbal and/or written warning has not corrected the behaviour or there is serious misconduct. A disciplinary suspension is a temporary removal of the employee from the workplace without pay. The number of suspension days is dependent on the severity of the misconduct.

The employee should be provided with a suspension letter detailing the misconduct, the duration and conditions of the suspension, expectations for improvement, and the consequence that further misconduct may lead to further disciplinary action up to and including termination.

4.4 **Multiple Suspension Days Without Pay**

If an employee engages in further misconduct after an initial suspension(s), additional suspension days without pay may be issued. The employee should be provided with a suspension letter addressing each subsequently issued suspension, requirement for improved conduct and that additional misconduct may lead to further disciplinary action up to and including termination.

4.5 **Termination**

Termination is the most severe type of discipline. Termination is considered when the progressive discipline process is unsuccessful and improvement no longer seems reasonably possible, or when the misconduct is so grave that it has caused irreparable damage to the employment relationship.