

Staff Discipline

Firm Foundations for Children and Adolescents CIC provides a fair and consistent method of dealing with disciplinary incidents. Our aim is always to support and encourage staff, while promoting good employment relations.

If a member of staff is subject to disciplinary action, fair and consistent procedures will be employed:

- The incident will be fully investigated and the facts established.
- Investigations will be non-discriminatory and apply equally to all staff irrespective of sex, marital status, sexual preference, race or disability.
- At every stage, the member of staff concerned will be advised of the nature of the complaint and given an explanation for any penalty imposed.
- Staff will be given the opportunity to state their case, and be accompanied by a friend, colleague or Trade Union representative of their choice, during any part of the disciplinary process.
- Staff will not be dismissed for a first breach of discipline except in the case of gross misconduct (see below).
- Staff have a right to appeal against any disciplinary action taken against them.

DISCIPLINARY PROCEDURE - Subject to approval by a solicitor

Employees who breach the club's standard of conduct or fail to work in accordance with its policies will be subject to the following disciplinary procedure.

Judicial Procedure

The following is an outline of the judicial procedure. When the club is not regularly in session, disciplinary matters will be handled administratively.

1. **Filing of Charges** - Written charges may be filed against a member of staff. The charges should be filed within two weeks of the incident with the Director.
2. **Investigation**-The charges will be investigated within two weeks by the Director.
3. **Notification** - If the charges are found to have a reasonable basis, a letter shall be sent within one week after completion of Step II to the employee's last known address informing him/her of the charges, complaining party and witnesses, circumstances surrounding the incident, procedure to be followed, and the possible sanctions if the allegations are substantiated.

4. Meeting - Within two weeks, the employee will arrange to meet with the Director to review and discuss the content of the letter.
5. Letter of Disciplinary Action - Within one week of meeting (or failure of employee to arrange or attend meeting) the officer will send the employee a letter stating the disciplinary action. The action is binding unless the employee follows appeal procedures.

Sanctions

These sanctions are intended as guidelines which may be modified based upon mitigating circumstances. They are applicable to all staff at Firm Foundations for Children and Adolescents CIC.

1. Oral Warning: An oral warning is a formal conversation between the Director and an employee about a specific aspect of the employee's performance and/or conduct. This step is taken when an employee has committed a relatively minor infraction.

During the private warning meeting the following items will be mentioned:

- The date of the incident(s)
- The specific rule(s) violated and performance and/or conduct concerns.
- The expected conduct and level of work performance.
- The fact that this meeting is an official oral warning;
- The employee should consider this is a warning that he/she must correct the condition, specifying a time limit for making improvements, and if the condition is not corrected more serious disciplinary action may be taken.

After the warning has been given verbally, the Director must summarise the meeting in writing, including the above-cited elements in the summary, in the event that formal documentation will be required at a later date. This warning summary is to be maintained in the club's Incident File.

2. Written Warning: A written warning is a formal written notice to the employee regarding repeated offences for which an oral warning has already been given, significant misconduct and/or specific inadequate performance.

The written warning notice shall include:

- The date of the incident(s);
- The specific rule(s) violated and performance and/or conduct concerns;
- A reference to previous oral warning(s), if applicable, and reference to prior training or coaching the employee received concerning appropriate work performance and conduct.
- A statement indicating the specific improvements expected and a time limit within which the improvements must be made.
- A statement that the employee must correct the condition and failure to correct the condition may result in more severe disciplinary action. The employee is asked to acknowledge receipt of this warning by signing and dating the document. If the employee refuses to acknowledge receipt of the warning, a witness can sign and date the document stating the employee received a copy of this document. The original of this warning with the employee's, or witness' signature must be placed in the employee's personnel file.

3. Disciplinary Probation - restrictions placed on an employee limiting his/her activities whilst working. This action will be taken for repeated minor violations or one moderate breach of the organisation's rules, regulations, and policies. This sanction is usually given for not more than one year. (*The written notice should contain elements mentioned in stage 2*)
4. Suspension -It is the result of a serious violation of rules, regulations and policies. During this period the employee is excluded from all functions and is prohibited from visiting the club except on matters which are directly related to the suspension. Time limits on suspension may vary from a few days to one year. This action will appear on the employee's personnel records. (*The written notice should contain elements mentioned in stage 2*)
5. Dismissal - behaviour indicates that the employee is unfit to continue to work within the club. The employee will be forbidden from visiting the club. Suspension and dismissal will be at the discretion of the management.

In any of the sanctions listed, additional acts of misconduct or the violation of disciplinary restrictions may result in more serious disciplinary action.

In addition to imposing its own sanctions, the Club may refer any violation of state, or local law to the proper authorities.

Right of Appeal of Disciplinary Action

An employee may request appeal in writing to the Director within one week of the postmark of the discipline letter sent.

The Director will invite another Director to review the case and set up a meeting with the employee within two weeks of appeal request. The member of staff can bring someone with them to this meeting. Based upon review and meeting, the Principal will inform the employee in writing of support or amend the disciplinary action. This decision is binding and final.

Temporary

If during the judicial procedure it is determined that an employee's continual presence represents a clear and present danger to persons, property or the ongoing processes, such employee may face temporary suspension. During the suspension the employee's presence is forbidden on the premises.

Suspension

Disciplinary

All disciplinary records will be maintained in the confidential files for two years after the employee has left.

Records

The Staff Discipline Policy shall be reviewed annually. It may be necessary for further reviews if the policy is ever brought into question either by an individual or a particular incident.