

CITY OF GRAND FORKS

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Council

POLICY:

Policy and Regulations for the acceptable conduct of employees are necessary for the orderly operation of any organization and for the benefit and protection of the rights and safety of all persons with whom the City comes in contact. They are the cornerstones of any successful organizations operations.



THE CORPORATION OF THE CITY OF GRAND FORKS

**EMPLOYEE CONDUCT
RULES AND REGULATIONS
POLICY**

EMPLOYEE CONDUCT RULES AND REGULATIONS POLICY

INDEX

	<u>Page Number</u>
Conduct of Employees	01
1. Attendance	02-04
▪ Reporting/Finishing Times	
▪ Rest Periods	
▪ Lunch Periods	
▪ Absences	
2. Work Performance	04
3. Safety – Protection of Property	05
4. General Department	06-07
▪ Harassment	
5. Contravention of Laws of the Land	08-10
▪ Progressive Discipline	
▪ Probationary Employees	
▪ Employees	
Expected Employer Action	11-14
6. Improvement Program	15
7. Loss of Qualifications or Inability to Maintain Qualifications	15
Appendix “A” - Disciplinary Action Report	16-17
Appendix “B” - Disciplinary Action Report Copy to Employee	18

POLICY AND REGULATIONS

CONDUCT OF EMPLOYEES

Policy and regulations for the acceptable conduct of employees are necessary for the orderly operation of any organization and for the benefit and protection of the rights and safety of all persons with whom the City comes in contact. They are the cornerstones of any successful organization's operation.

Certain policy and regulations, including others which may be established from time to time, and the procedures for disciplinary action, have been developed in order to promote understanding of what is considered unacceptable conduct and to encourage consistent action in the event of violations, thereof.

These guidelines are not designed to restrict the individual but rather to protect him/her by assuring stable working conditions and responsible treatment of employees.

Any rules and regulation initiated by the City shall not contravene the Collective Bargaining Agreement between the City and the Canadian Union of Public Employees, Local 4728, individual contracts of employment, in the case of Management employees and any rights granted under applicable law. If any such rules or regulations are found to be in contravention thereof, such Agreements shall take precedence.

For interpretation purposes, a "Supervisor" can mean a Coordinator, a Manager or the Chief Administrative Officer.

1. ATTENDANCE

Virtually, all employees (including the Public Sector) estimate their manpower needs based on the amount of work to be completed over fixed and variable periods of time. Ongoing requirements as well as specific minor or major projects, can affect manpower requirements on a day-to-day, month-to-month or annual basis. In the event, once the City has determined it's personnel needs, it typically expects to be able to complete necessary work within the required time periods and with the staffing complement employed to perform the work required.

The City recognized that, for a variety of perfectly valid reasons, individual employees may not be available to perform their duties on certain days. Reasons such as legitimate illness, various leaves of absence, vacation, etc., are accepted as valid, however, at the same time, the City's expectations are that when employees are fit, able and have reported to work, they will perform their functions to the best of their abilities, including appropriate use of time available to them in a work day.

Reporting/Finishing Times

Employees are expected to report to work, ready to perform their duties, be at their assigned work locations at the scheduled starting time and not leave at the end of the work day until the scheduled finishing time, except where specific permission has been granted to do otherwise.

Rest Periods

Rest periods and lunch periods are scheduled or available at certain times during the workday.

Rest periods are typically 15 minutes each, including any travel time. Normally, employees will take their rest periods in the facilities available to them on City property, or at the worksite, if employees are working out in the field. Employees may, with permission from the Supervisor, only, take their work breaks elsewhere than those areas noted above. Typically, there will be one 15-minute rest period available in the first half of a full time shift and a second 15-minute rest period in the last half of a full time shift.

Lunch Periods

Lunch periods are in accordance with the Collective Agreement, either 1 or 1/2 hour in duration. This period, regardless of its length, includes travel time. As identified in the rest period policy, employees are expected to insure that they take their lunch breaks within the confines of the time available and where it means that meals are taken to the worksite in order that the time restraints be accommodated, then such must be the case.

Absences

Employees are expected to be away from their jobs only for legitimate reasons and only with the permission from the Manager. Should an employee wish to be absent on a particular day, as much notice as possible must be given in order that the determination as to whether the requested absence can be accommodated and/or is appropriate under specific provisions of the Collective Agreement.

In the case of SICK LEAVE (including family illness), the affected employee is required to contact his/her Manager, or nominee, personally, within 1 hour prior to the employee's scheduled starting time, or earlier. Where an employee cannot reasonably give notice to his/her Manager personally, then a spouse or other family member may do so. Nonetheless, appropriate notice must be received prior to the start of the shift by the appropriate Management official.

Sending a message through another employee will not be deemed as proper notice. Although the City will be made aware of an absence by virtue of a fellow employee's statement of confirmation, any statements by such person will be considered a confirmation only, and the City will await proper notice. If, in very unusual circumstances, an employee, a spouse or family member cannot contact the appropriate official within the proper time limit, then contact must be made as early as possible, following the start of shift.

Notice of absence for sick leave must include a statement of the expected duration of the absence and in instances where the absence will be for periods greater than 1 day; continued updates on the employee's condition must be given not less than ever 3rd day of absence. These requirements may be varied in accordance with the expected term of illness.

In the case of COMPASSIONATE LEAVE, the affected employee is required to notify his/her Manager, of such leave requirement, giving as much notice as possible. Where advance notice is not possible, the employee is required to notify his/her Manager at the earliest possible time available, following the start of the leave.

All other leaves of absence must be applied for through the use of the appropriate form, giving as much notice as is reasonably possible. It is important to re-iterate that such absences from work are legitimate only when accompanied by permission from the Manager.

2. WORK PERFORMANCE

Although output is measurable and continues to be a major factor in assessing productivity, it is not the only criteria to be measured in overall productivity assessments. Productivity includes quality of work, the volume, conditions, safety, timeliness and even how people work together, to achieve the necessary outcomes.

The City expects that employees work to the best of their abilities, within the confines of reasonableness; that employees apply themselves to their assigned tasks with diligence and pride; that they remain cognizant of cost and time limitations; that they are always mindful of safety implications of an untidy, messy and/or dirty work location, they are hygienic and simple housekeeping needs, need to be constantly addressed.

The City does not set undue standards of performance, neither does it wish to apply unreasonable expectations on it's staff, yet it is important that employees attempt to meet, as best they can, the time requirements set for tasks, projects, etc., and that the levels of productivity be constantly evaluated in order that improvements be made in methods, procedures and general quality and quantity of work performed.

Employees are required to work in harmony with each other, Management, Council and the Community. They are not expected to work against one another, by allowing or initiating, distracting influences. Employees should expect to receive appropriate verbal and/or written instructions, as is essential for the proper performance of their jobs. The employer, also, has the expectation that employees follow such direction and stay within established line of authority.

The City realizes that personal needs sometimes become pressing and employees can find it expedient to discharge some of those needs at a convenient time during their normal shift. However, since the time spent on such activities would be spent on City time, it is imperative that permission be received prior to an employee taking such time away from their regular duties. Employees are expected to properly perform the duties of their job during their regular shifts. Personal projects, telephone calls, etc., are expected to be done on the employee's own time, unless specific permission has been sought and granted by the Supervisor.

Internet:

The primary purpose of the City's internet connection is informational and that, as such, shall be used for research and administrative purposes only. The City's internet accounts shall be used for City purposes and personal use time on the internet shall be limited to Employee's lunch hours and coffee breaks. Employees shall conduct themselves in such a manner that public confidence and trust in the integrity and professionalism of the City is conserved and enhanced.

E-mail:

The City's email system is provided for official business use. Occasional personal use of the organization's email is permitted during the employee's personal time or during lunch and coffee breaks. However, personal messages will be treated no differently from business messages. The City reserves the right to access, use and disclose all messages sent over its email system for any purpose. Any email system, paid for by the Union and used exclusively by Union members, and which is hosted on the City's server, is exempt from the "right to access" provision. Harassing, discriminatory or otherwise inappropriate email is strictly forbidden. This includes the transmission of "jokes" that could be offensive to some.

3. SAFETY – PROTECTION OF PROPERTY

The safety of the Community, its employees and property, is paramount in the mind of the City. Everything that an employee does must be done with safety, as his/her number one priority. At no time should safety be lost, at the expense of time, nor should productivity, or the need to achieve the City's goals, replace the need to achieve each, safely.

City facilities, equipment and materials are far too valuable and hard to come by, for anyone to use indiscriminately, or without due care or unwisely. So are people! Every person employed by the City is responsible to ensure that they utilize the City facilities, equipment, etc., in both an operational and physically safe manner. No item is to be neglected, misused, nor carelessly operated, in a way that will, or could contribute to damage, personal injury or unsafe conditions, nor shall employees contribute to, or participate in, unsafe acts, including horseplay.

All employees have the right to refuse to perform work in accordance with the Workers' Compensation Board Safety Regulations, where they believe that their personal safety or the personal safety of others is at risk, providing that there is sufficient reason to justify such action. Where there is a dispute between the affected employee and his/her Manager an officer of the Workers' Compensation Board shall be called in to finally determine the matter.

City facilities, equipment and materials are not to be used for personal use by employees except with specific permission from the Manager responsible.

City facilities, equipment, etc., may only be operated by qualified staff and/or qualified Management personnel. The City shall identify, from time to time, those individuals so qualified and determine who should be trained and become qualified, as it deems appropriate.

4. GENERAL DEPARTMENT

All employees are expected to display a polite and courteous manner, at all times, to other employees, Management staff, Council members and the general public. Any actions, or words, suggesting the use of threats, intimidation, interference, coercion or any other unprofessional or unethical behavior is strictly forbidden and unacceptable. Argumentativeness, insubordination, coarse language or violations of confidentiality are likewise, unacceptable. Employees who find themselves being subjected to such, or being taunted, tempted or pressured in such a way as to put them in a position of losing control, are advised to contact their Supervisor.

The City and the Union believe and have agreed that, every person has a right to work in an environment free of all forms of harassment. Employees or others found to be guilty of harassment, will be dealt with accordingly.

Certain dress codes have been established for good reason. In most instances, dress codes deal with employees who either work with, or are

seen by the public, on a regular basis. For these and other reasons, appropriate dress codes, shall be strictly adhered to.

For "dress code" clarity, Outside Works employees must wear shirts, and any safety gear required for the job. Inside employees are required to wear slacks or skirts. Casual Fridays dress can include blue jeans provided they do not have holes or tears in them.

Harassment

The City of Grand Forks supports the right of all it's staff, to be employed and work in a harassment-free environment. To this end, the City wishes to state emphatically that it would take every reasonable action necessary, as outlined in Council's policy No. 605, to ensure that the work environment becomes and remains, free from harassment.

5. CONTRAVENTION OF LAWS OF THE LAND

Illegal activity has no part to play in the operation of the City. Employees, the Union, City officials and Council members must always guard against any such activities. Stealing or theft can neither be condoned nor tolerated. Other activities which would be considered by Council as unacceptable behavior, would be embezzlement, falsifying records, attending work under the influence of alcohol or illicit drugs, *consuming alcohol or illicit drugs on City premises or while working, and participation in an assault or assault and battery. All other, less obvious illegal acts, are likewise prohibited, even though such are not listed here. Although these other acts are not specific, they are not the less important.

Employees, who are in so desperate a situation as to believe that they have no alternatives available to them other than to take illegal action, are encouraged to discuss their problems with their Supervisor. All such discussions would be kept in strictest confidence and the City will offer whatever help, encouragement or advice, available to it.

Progressive Discipline

The City of Grand Forks has adopted a PROGRESSIVE DISCIPLINARY SYSTEM to be applied in all instances, where it is determined, that disciplinary measures must be taken.

Discipline is not intended to be viewed as punishment, or a simple angry reaction to a previous action. Discipline is a sense of order among the total staff of the City. It can also be termed as a training process, intended to bring employees to the appropriate level of order, necessary to operate the City. It is a positive process which is used only when a person or persons has been identified, as requiring some additional direction or help, to reach the desired level of conduct, or productivity.

Properly used, a progressive discipline system includes counseling, guidance, direction, supervision, training and help. It does not mean only warnings, letters or censure, suspensions or terminations. Where the former is offered to, and rejected by the employee, the latter must then be employed. Most often, the two will be used together, in order that the most effective program can be implemented on behalf of the employee concerned.

It must be remembered that consistency does not demand the same outcome. It demands that the method of measure be consistent in determining the outcome. Employees, naturally, will be dealt with differently, depending on their specific needs and the circumstances that prevail, at that time.

To PROGRESSIVELY DISCIPLINE means to ever or continuously increase the extent of discipline being applied, as previous processes have been ignored or proven unsuccessful. It is absolutely essential that employees know clearly and exactly, what is expected of them, in each circumstance, hence the previous policy directions.

Violations of City policy or rules and regulations, must be monitored and dealt with by their immediate Supervisor. Appropriate records must be kept for follow-up, as well as future reference. Certainly, appropriate action must be taken in each instance. If progressive discipline is required the next step will be acted on by the appropriate Manager and will be assisted by the immediate Supervisor.

It is very important to remember that each individual employee is just that, an individual. Consistency, again, is the model. The only individuals, who can adequately determine the appropriate action, are the ones who know the employee best – the Supervisor. Not only must they assess the solutions, they must also identify the problem. This identification

and subsequent recommendation for action will form the basis for an overall direction with respect to discipline.

Each aspect of a program must be recorded properly, completely and in the correct format. As mentioned earlier, this responsibility rests with the Manager.

The Employee is responsible for meeting the expectations clearly laid out to the employee by the Manager.

It is important to note that, individual indiscretions or violations may not, in themselves, or in isolation, warrant severe action. But taken together with other offences, like or dissimilar, these isolated violations may well form the basis for culminating incident with the resultant termination, or some lesser discipline, but more than that which would be expected for those individual violations.

Care must be exercised in determining the appropriate action to be taken and must always meet the test of just and reasonableness. Further, where the employer chooses to take into consideration, other violations in accord with its rights, as set out in the William Scott case, the employer must first ensure that both the Union and the employee are first aware that any future violations may result in increased or more severe discipline being applied, including but not limited to suspension or termination.

Probationary Employees

Should a discipline issue arise with a probationary employee, the Manager will review the purpose of the probationary period, in light of the offense or infraction and take appropriate action. Where a probationary employee is retained on staff, any subsequent offenses may result in automatic discharge.

All Employees

All Employees can expect to be disciplined for any contravention of the City's policies, rules or regulations. All such action shall be dependent on the severity of the individual infraction and the circumstances under which the infraction occurred. Managers can be disciplined for contravention of City policies, rules and regulations.

**EXPECTED EMPLOYER ACTION DEPENDENT
UPON SEVERITY OF THE INFRACTION**

FIRST OFFENSE SECOND OFFENSE THIRD OFFENSE FOURTH OFFENSE

ATTENDANCE

Persistent Absenteeism	Verbal Warning	Written Warning	Suspension	Discharge
Tardiness	Verbal Warning	Written Warning	Suspension	Discharge
Inappropriate Use of Sick Leave	Written Warning	Suspension	Discharge	
Absence Without Leave	Written Warning	Suspension	Discharge	
Failure to Notify Employer of Impending Absence	Written Warning	Suspension	Discharge	
Failure to Notify Employer of Requirement to Leave Work	Written Warning	Suspension	Discharge	

PERFORMANCE

Failure to Perform to Acceptable Levels – Productivity	Verbal Warning	Written Warning – May include Training and/or Improvement Program	Suspension	Discharge
Failure to Follow Oral or Written Instructions	Verbal Warning	Written Warning	Suspension	Discharge

	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
Failure to Meet Appropriate Timeliness	Verbal Warning	Written Warning – May include Training and/or Improvement Program	Suspension	Discharge
Failure to Satisfactorily Perform/Discharge Duties and Responsibilities	Verbal Warning IMPROVEMENT PROGRAM	Written Warning – May include Training and/or Improvement program	Suspension	Discharge
Contributing to Poor Housekeeping or Unsanitary Conditions	Verbal Warning	Written Warning	Suspension	Discharge
Distracting Influence or Interference With Other Employees in Their Performance	Written Warning	Suspension	Discharge	
Performing Other Than City Authorized Business	Verbal Warning	Written Warning	Suspension	Discharge

**EXPECTED EMPLOYER ACTION DEPENDENT
UPON SEVERITY OF THE INFRACTION**

SAFETY & PROTECTION OF PROPERTY

	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
Rough-housing/Horseplay	Written Warning	Suspension	Discharge	
Contributing to Unsafe Conditions	Written Warning	Suspension	Discharge	
Misuse or Damage to City Property	Written Warning	Suspension	Discharge	
Working Unsafely With Threat to Self or Others	Written Warning	Suspension	Discharge	

GENERAL DEPARTMENT

Inappropriate Language /Gestures	Written Warning	Suspension	Discharge	
Threats, Intimidation or Interference with Other Employees, Public, Etc.	Written Warning	Suspension	Discharge	
Unprofessional or Unethical Behavior	Written Warning	Suspension	Discharge	
Insubordination	Written Warning	Suspension	Discharge	
Participation in Illegal Work Stoppage	Suspension	Discharge		

**EXPECTED EMPLOYER ACTION DEPENDENT
UPON SEVERITY OF THE INFRACTION**

FIRST SECOND THIRD FOURTH
OFFENSE OFFENSE OFFENSE OFFENSE

MAJOR CONTRAVENTIONS

Theft	Suspension	Discharge	
Deliberately Falsifying Records	Suspension	Discharge	
Under Influence of Alcohol or Illegal Drugs At Work	Suspension	Discharge	
Consuming Illegal Drugs While at Work or on City Premises	Suspension	Discharge	
Consuming Alcohol at Work	Suspension	Discharge	
Assault, Assault and Battery or Fighting	Suspension	Discharge	
Malicious or Willful Damage	Suspension	Discharge	

6. IMPROVEMENT PROGRAM

An Improvement Program is a program set up to begin and end at certain times specified, wherein the employee will be required to achieve certain acceptable levels of productivity or deportment. These programs may or may not include training, but will always include additional supervision, assistance and direction over the specified period, and could include statements depicting future action by the employer, where an employee fails to show the needed level of improvement, within the time limits specified.

7. LOSS OF QUALIFICATIONS OR INABILITY TO MAINTAIN QUALIFICATIONS

From time to time, an employee may be in a position of not being able to continue to meet ongoing qualification requirements, such as various tickets of qualification, drivers license or, for that matter, physical capability. Rather than perceiving this problem as a disciplinary problem, the City must address it as one of competence or rather, the lack thereof. The City can not allow unqualified or un-licensed individuals to operate its equipment, or not perform a reasonable and required function. In such instances, the collective agreement, "Duty to Accommodate" will apply.

THE CORPORATION OF THE CITY OF GRAND FORKS

DISCIPLINARY ACTION REPORT

(to be completed by the Manager)

Please forward a complete copy of this report IMMEDIATELY to the Chief Administrative Officer.

EMPLOYEE NAME: _____

POSITION: _____

WORK LOCATION: _____

DESCRIPTION OF WHAT TOOK PLACE: _____

LOCATION: _____

TIME: _____

NAMES OF OTHERS INVOLVED: _____

NAMES OF WITNESSES:

(attach statements to this form)

DETAILED REASONS OR STATEMENT BY EMPLOYEE:

(attach statements to this form for additional comments)

MITIGATING CIRCUMSTANCES: _____

PREVIOUS INFRACTIONS: (see employee file)

SUPERVISOR'S ANALYSIS AND COMMENTS:

*SUPERVISOR'S RECOMMENDATION:

STATUS OF DISCIPLINARY PROCESS:

Manager's Signature

THE CORPORATION OF THE CITY OF GRAND FORKS

DISCIPLINARY ACTION REPORT

(a copy of this page is given to the employer)

DATE: _____

NAME OF EMPLOYEE: _____

POSITION: _____

ASSIGNMENT AREA: _____

TYPE OF OFFENCE: (please check)

- Attendance General Department
- Performance Major Contravention
- Safety

REASONS FOR DISCIPLINARY ACTION: _____

THIS DISCIPLINARY ACTION IS FOR:

- FIRST OFFENSE THIRD OFFENSE
- SECOND OFFENSE FOURTH OFFENSE

ACTION BEING TAKEN:

- Verbal Warning Written Warning Suspension
- Discharge Other: _____

SUPERVISOR'S COMMENTS: _____

EMPLOYEE'S COMMENTS: _____

Supervisor

Employee
Acknowledgment of
Receipt of Copy of Form Only