



PROGRESSIVE DISCIPLINE POLICY

Floxy Queens Enterprise Limited

Flourish Abumere

Introduction

Floxy Queens Enterprise Limited, a fictitious Nova Scotia company, serves as the model for this progressive discipline policy. Floxy Queens Enterprise Limited is a small-medium-sized non-unionized business specializing in retailing beauty products. Floxy Queens Enterprise Limited has three retail offices located in Halifax and a human resource department. They are committed to maintaining a respectful and productive work environment where all employees are allowed to succeed.

Policy:	Progressive Discipline Policy
Effective Date:	April 23, 2022
Date Last Reviewed:	March 25, 2022
Scheduled Review Date:	March 25, 2023
Supersedes:	Previous Policy and/or Procedure
Approved by:	Jade Bernard Human Resource Executive Director April 23, 2022

Purpose

This policy aims to correct employee misconduct and restore the employment relationship while keeping the employee as a respected and productive member of our workforce. The policy guidelines must be adhered to when taking corrective action to improve and prevent unacceptable behavior or performance that may arise in the workplace. The policy ensures that all procedures are fair and consistent and are dealt with as quickly as possible following applicable laws.

Scope

The policy applies to all Floxy Queens Enterprise Limited employees.

Policy Statement

Floxy Queens Enterprise Limited is committed to maintaining a healthy and productive work environment and atmosphere where all employees are allowed to thrive. Where behaviors or competencies do not allow Floxy Queens Enterprise Limited to achieve its desired work environment goals, Floxy Queens Enterprise Limited is committed to address the situation promptly and appropriately.

Note: To give our employees a chance to improve their conduct or performance, managers and supervisors must set clear performance expectations and communicate them promptly. Our employees must know the consequences of their behavior and are encouraged to take corrective action if a problem persists. Progressive discipline is not appropriate in every situation where disciplinary action is necessary. It is possible that an employee will not be eligible

for progressive discipline and will instead face harsher measures, including termination. Floxy Queens Enterprise Limited has the sole discretion to impose discipline and is in no way limited to the actions outlined in this policy.

Definitions

Progressive Discipline	Progressive discipline is a corrective measure used to address organizational misconduct, reinforce desired behavior related to job duties and organizational rules and restore the employment relationship. Progressive discipline often begins with a verbal warning, followed by a written warning, a suspension, and ultimately discharge.
Misconduct	The Government of Canada defines Misconduct as any inappropriate action, offense, or professional fault committed willingly or deliberately by a person while working for an employer. Misconduct occurs when an employee's behavior violates the obligations outlined in his employment contract.
Verbal warning	A verbal warning is a private conversation between a supervisor and an employee about a disciplinary or performance issue in a serious yet informal manner. It is the first step in the process of progressive discipline.
Written warning	A written warning is a formal statement issued to document that an employee has been officially warned of the exact nature of his or her misconduct and advised that any future violations may lead to further disciplinary actions, including a disciplinary suspension or possible termination. It is applied when a verbal warning has yielded no result.
Disciplinary suspension	A disciplinary suspension is typically a period during which an employee is relieved of his or her job responsibilities due to serious or repeated occurrences of misconduct. The facts of each case should determine the length of the suspension.
Termination	Termination also known as dismissal refers to the end of employee's work with a company due to cumulating incidents of employee misconduct. This is the last resort if an employee has failed to improve performance or has committed prior serious offenses.

Responsibilities

Stakeholders	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none"> • Approve and formally support this policy. • Approve all terminations.
Director of Human Resources	<ul style="list-style-type: none"> • Create, maintain, and supervise the implementation of this policy. • Offer guidance on the progressive discipline process.

Immediate Supervisor	<ul style="list-style-type: none"> • Conduct progressive discipline with Employee. • Work with Human Resources, Human Resource Director, and any appropriate Association if any on discipline issues.
Association	<ul style="list-style-type: none"> • Support employees through the progressive discipline process.
Employees	<ul style="list-style-type: none"> • Comply with employment expectations.

Procedures

Human Resources and immediate supervisors will work together to conduct discipline on employees with inappropriate behavior by:

- Identify the cause of the inappropriate behavior.
- Give due consideration to the employee's explanation.
- Set a clear benchmark between the desired behavior and the employee's behavior.
- Communicate the expected behavior to employees.
- Establish what professional behavior Floxy Queens Enterprise expects in the future.
- Recognize the employee's progress in improving performance and, where possible, assist the employee in achieving their goals.

Floxy Queens Enterprise Limited may take disciplinary action against an employee if they fail to meet professional conduct and workplace expectations that have been clearly defined in the employee's terms and conditions of employment and by Employment and Social Development Canada. This action will be taken in accordance with Nova Scotia provincial law, as defined in the Labour Standards Code of the Nova Scotia Legislature.

1. Verbal Warning

- 1.1 First, employees who fail to meet expectations will receive timely and specific feedback from their immediate supervisors in verbal discussions. A written record to document the conversation must be kept in the employee's file for future reference.
- 1.2 Discussing how to improve a specific performance area can be done between the employee and their immediate supervisor at the stage.
- 1.3 The immediate supervisor or manager must provide the employee with an opportunity to demonstrate improvement and monitor the employee's performance. The supervisor should monitor the situation to see if the problem has been fixed and acknowledge it.

2. Written Warning

- 2.1 If the misconduct or performance issue continues, an increased level of formality through written warning will take effect.
- 2.2 Immediate supervisor should document discussions with the employee regarding the performance issue or misconduct, ensure to share a copy of the documentation with the employee, and save a copy of the documentation in the employee's personnel file.

- 2.3 The immediate supervisor will collaborate with and assist the employee in determining the needed adjustments and timeline.

3. Disciplinary Suspension

- 3.1 Further to more severe misconduct or refusal to adjust to improve performance, an employee may be suspended for a specified period, with or without pay, after consulting with the Human Resource Director and the Chief Executive Officer.
- 3.2 The employee will be given notice, which will include the details of the suspension and the reasons for it.

4. Termination

- 4.1 The termination of an employee is the final step in the progressive discipline process.
- 4.2 In consultation with Human Resources, the immediate supervisor may recommend termination, which must be approved by the Human Resource Director and Chief Executive Officer.
- 4.3 This procedure is subject to the terms and conditions outlined in the employment contract and the Nova Scotia Labour Standards Code.

5. Employee Right to Appeal

- 5.1 Within 21 business days of receiving a written warning or higher, an employee who is subject to this policy must ask for a review of any disciplinary action of a written warning or higher. The request must be sent to the Human Resource Director as specified on the written documentation. The appeal request must be accompanied by a written document outlining all the employee's concerns about the imposed discipline.

Employees with a minimum of ten years of service

According to the Nova Scotia Labour Standards Code, an employee who has worked for the company for ten years or more cannot be fired or suspended without good reason or just cause. What constitutes a legitimate reason will vary depending on the circumstances of both the employee and Floxy Queens Enterprise Limited.

To show that the employer had good reason, the employer may have to show all the following:

- The employer has made their expectations clear to the employee
- The employer has warned the employee to change behavior.
- The employer has given the employee a reasonable chance to change behavior.
- The employer has warned the employee that not improving behavior could lead to being fired.

Preventing progressive discipline

We will take steps to avoid the need for disciplinary action for the benefit of all parties. We will:

- Ensure to communicate our policies and code of conduct to all new employees in an understandable manner.
- Inform all our employees of any revisions or modifications to our policies formally.

- Implement regular employee performance meetings to identify and address concerns before they become serious problems.
- Managers will receive training on communicating, enforcing, and abiding by our policies and federal/provincial legislation.
- Employees will receive orientation and training on specific policies and procedures.
- Establish an environment of mutual respect and collaboration.

References

For legislation that supports the interpretation of this policy, kindly refer to the following:

- Nova Scotia Labour Standards Code [Link](#)
- Employment and Social Development Canada- Government of Canada Guidelines to Discipline [Link](#)
- Nova Scotia Legislature [Link](#)
- General Labour Standards Code Regulations [Link](#)

Questions

For more information contact Floxy Queens Enterprise Limited

Phone: 782-641-2020

Email: Sarah.Cole@floxyqueens.ca

Website: www.floxyqueens.ca

1505 Barrington Street

Halifax, Nova Scotia

References

Employment and Social Development Canada, (2022). Government of Canada Guidelines to Discipline. <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=22370> retrieved 22-03-2022

Government of Canada, (2022). Employment Insurance (EI) and Fired for misconduct - What "misconduct" means. <https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/fired-misconduct.html> retrieved 22-03-2022

GPRC, (2017). Progressive Discipline Policy. <https://www.nwpolytech.ca/about/administration/policies/fetch.php?ID=356> retrieved 18-03-2022

Nova Scotia Labour Standards Code (2021). Guide to the Nova Scotia Labour Standards Code. Progressive Discipline. <https://novascotia.ca/lae/employmentrights/docs/labourstandardscodeguide.pdf> retrieved 22-03-2022

Trent University, (2008). Progressive Discipline Policy. <https://www.trentu.ca/governance/sites/trentu.ca.governance/files/documents/Progressive%20Discipline%20Policy%20FINAL.pdf> retrieved 19-03-2022