

**Policy Title:** Performance Improvement

**Last Approved:** October 2023

### BACKGROUND

The purpose of this policy is to outline procedures for the Performance Improvement Plan ('PIP') for all Saskatchewan School Board Association ('Association') positions. A PIP is a tool to give an employee with performance deficiencies the opportunity to improve and succeed.

### APPLICATION

This policy applies to all Association employees.

### POLICY STATEMENT

It is the policy of the Association to ensure that employees are given reasonable opportunities to improve both behavioural and performance issues. To this end, the Executive Director/Directors are expected to follow the Association's Performance Improvement Process. When a Director determines there is an unacceptable performance or behavioural issue, the Director will document the issue(s) and required change(s) in a Performance Improvement Plan (PIP) and work with the employee to implement the plan. Should the employee's behavior and/or performance fail to improve, the employee may be subject to disciplinary action, up to and including termination.

There may be incidents and circumstances when moving straight to disciplinary action up to and including termination may be warranted.

#### 9.1 Steps in the Performance Improvement Process (PIP)

##### Step 1: Determine if a PIP is appropriate

A PIP should be developed when there is a need and commitment to assist an employee to improve and be successful in their job. To determine if a PIP is warranted, the following should be considered:

- What performance and/or behavioural issue exists?
- Is there a known personal issue affecting performance? If so, the Director will support the employee by advising the employee to access Employee Family Assistance support (EFAP). Depending on the issue, accommodation may be required to support the employee rather than utilizing a PIP process.

##### Step 2: Develop a Plan

- Once the need for a PIP has been established, the Director develops the PIP. The PIP should include:
  - Information on how the employee's current performance is deficient and should include specific details, data, and dates;
  - Expectations to improve performance and a timeline to improve. The objectives need to be made clear to the employee. Tools such as the employee's Individual Performance Plan (IPP) and Job Description (JD) may be helpful to outline which job duties, knowledge and or behavioural expectations are lacking. It is important to clearly state what the consequences are of the employee not meeting the stated

objectives. It is important to ensure the objectives and timeframes for improvement are reasonable and fair;

- Improvement expectations and objectives should follow SMART goals. They should be Specific, Measurable, Achievable, Realistic, and Timely;
- Details of how the Director will provide support and assistance in the employee achieving the objectives;
- Details outlining how often progress check-ins will occur between the Director and the employee; and
- The PIP should be signed by both employee and Director and a copy of the plan put in the employee's personnel file.

### **Step 3: Implement & Monitor the Plan**

- After developing the plan, Director/Employee check-ins will be necessary to discuss the employee's progress in meeting the set objectives for improvement and adjust as required.
- Any successful progress at this point should be recognized.

### **Step 4: Plan Conclusion**

- When the employee has met the plan objectives within the timelines, the Director will formally close the PIP process by recognizing the employee's successful accomplishments and documenting the goals as being met. There may be times where an extension may be warranted and agreed to.
- Upon completion, if the employee is unable to improve his or her performance and/or behavior or if things worsen during the process, the employee may be subject to disciplinary action, up to and including termination through the Disciplinary Process.

## **9.2 Disciplinary Process**

There may be times when it is appropriate to move directly to a disciplinary action up to and including termination depending on the circumstances and severity of the action. The Performance Improvement Process (PIP) is expected to address the majority of performance or behavioural issues which may occur in the Association. However, it is not intended to limit the appropriate action called for by the severity of the performance or behavioural issue. Therefore, the Association might, in certain circumstances, skip preceding steps and move immediately to Step 3 (Suspension), or Step 4 (Termination).

### **a) The stages of discipline are progressive as follows:**

- i. Informal Fact Finding/Opportunities for Coaching
- ii. Step 1 – Verbal Warning
- iii. Step 2 – Written Warning
- iv. Step 3 – Suspension
- v. Step 4 – Termination with cause or termination without cause

#### **i) Verbal Warning – Step 1**

- a) Where it is apparent to the Director that a performance or behavioural issue is not improving through coaching, and that satisfactory fact finding has occurred, the Executive

Director/Director shall meet with the employee, with the presence of a Director from another department or the Senior Consultant Employee and Labour Relations, and explain:

- the behavioural or performance issues which are of concern;
  - the expected change in behavior and/or performance; and
  - that a change is both expected and required and the consequences of non-action,

b) The Director should record the issue and date of this discussion in the event that reference must be made to the matter in future action under this policy.

### ii) Written Warning – Step 2

a) Where a written warning is being considered, the circumstances of the matter shall be discussed with the Executive Director.

b) Where the Director has previously provided a verbal warning and a fact finding/investigation has taken place, and where either insufficient improvement or no improvement has occurred, a meeting will take place with the Director of the employee and a Director of another department or the Senior Consultant Employee and Labour Relations. A written warning may be given to the employee.

c) The written warning shall describe:

- the behavior or performance issue which is causing concern;
- the required or expected changes and the consequences of non-action;
- the support which management is prepared to provide; and
- the written warning will be issued to the employee following a meeting in which the Director interviews the employee.

d) A copy of the written warning, will placed on the employee's personnel file, and must be annotated by the Director as follows:

- The matter was discussed with, and a copy of the written warning was handed to the employee;
- The name of the person who acted as witness (another Director or Senior Consultant Employee and Labour Relations); and
- The date upon which the written warning was given to the employee.

In the case of an employee reporting directly to the Executive Director, the Executive Director will inform the Executive of the written warning.

### iii) Suspension – Step 3

a) An Executive Director/Director may suspend an employee in the following instances:

- Where earlier steps of the progressive discipline process have been followed, yet insufficient improvement has occurred and management wishes to reinforce the seriousness of the situation.

- Where an employee has engaged in serious misconduct that warrants the imposition of a suspension, even in the absence of earlier progressive discipline.

b) A meeting will take place with the Director of the employee, with the presence of a Director of another department or the Senior Consultant Employee and Labour Relations to communicate the action.

c) Where an employee is suspended, with or without pay, the employee shall be informed of the suspension in writing, by the Executive Director, with a copy to the employee's personnel file. This letter shall set out:

- Performance or behavioural reason for suspension;
- Measures previously taken by Association management;
- Consequent decision of management to suspend the employee;
- Number of Days and the dates on which the suspension is to take place.

#### **iv) Termination with Cause – Step 4**

a) The authority to terminate employees rests with the Executive Director with notification to the Executive in advance of the action.

b) A meeting will take place with all parties to discuss the action.

c) Where an employee is to be considered for termination with cause, the following steps must have been taken by the Association:

- Poor performance must have been highlighted through a series of performance appraisals and written warnings which were properly documented and brought to the attention of the employee, or;
- Where it is established that serious misconduct has occurred justifying the immediate termination of the employee.
- The advice of Legal Counsel must be sought prior to any dismissal.

#### **v) Termination without Cause – Step 4**

a) The Executive Director has the authority to terminate the employment of an employee, for any reason, provided appropriate notice is given to the employee.

b) In the case of an employee reporting directly to the Executive Director, the Executive Director will inform the Executive prior to action.

c) The advice of Legal Counsel must be sought prior to termination of employment.

#### **b) Paid Leave from work pending Investigation (may be applicable for Steps 3, 4, 5)**

- i. Where it appears that a serious misconduct has occurred, but further investigation is necessary, and where the employee's presence may affect the investigation or the employee's ability to respond to allegations, the employee may be placed on a paid leave from work pending any investigation.
- ii. Where an employee is suspended with pay pending the results of an investigation, the employee shall be so informed in writing by the Executive Director and a copy of the letter shall be placed on the employee's file;

- iii. If following the investigation, the employee is found to be blameless, all reference to the matter shall be removed from the employee's personnel file.

### **c) Removal of Disciplinary Documents from Personnel File**

Employees may request, in writing to the Director of Corporate Services, removal of any disciplinary documents from their personnel file after 24 months from the date of the disciplinary document, unless there have been subsequent documented incidents of a similar nature.

## REFERENCES