

# MENNONITE VILLAGE POLICY & PROCEDURE

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TITLE: Disciplinary Action and Grievances

PROCEDURE NO: HR 700.05

REPLACES: PL.05

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## PURPOSE:

The concepts of respect and responsibility guide the administration of disciplinary action at Mennonite Village. This means that the supervisor treats you with respect and you take responsibility for complying with the work rules. The supervisor will explain the desired behavior/correction to you and explain the consequences you will face if you choose not to make the desired correction. You must then choose to take responsibility for correcting the problem or face the consequences of your actions.

## POLICY:

Generally, disciplinary action will be progressive in nature. Some examples of disciplinary action that may occur are: oral warning, written warning, reduction in hours worked, performance improvement plan, decision-making leave, last chance agreement, or termination. These disciplinary measures are only guidelines. Management has discretion to initiate discipline at any step, to skip steps in the disciplinary process, or immediately discharge an employee. The seriousness of the problem and the employee's work record will determine what disciplinary action will be taken. If you feel that discipline was administered incorrectly or was excessively punitive, you may follow the grievance procedure described on the following page.

The following list gives examples of actions that are contrary to Mennonite Village's expectations of positive behavior. If you choose to engage in any of these actions or other actions that are contrary to the expectations of Mennonite Village, you may be subject to disciplinary action up to, and including, termination of employment. If you have any questions, please consult your supervisor or Human Resources.

1. Violation of residents' rights;
2. Abuse of residents; this includes physical, mental, or verbal abuse, misuse of residents' personal property, and misappropriation of residents' funds;
3. Failure to follow Standard Precautions;
4. Insubordination;
5. Dishonesty;
6. Misuse, unauthorized use, removal or destruction of Mennonite Village property or property of other employees;
7. Tardiness or failure to follow call-in notification policy.
8. Leaving work early without prior authorization;
9. Violation of safety rules or failure to follow safety procedures;
10. Reporting for work or working while intoxicated, under the influence of intoxicants or controlled substances, or otherwise unfit for duty;
11. Refusal to submit to a drug or alcohol test;

12. Possession, sale or use of intoxicants or controlled substances on Mennonite Village premises, in Mennonite Village vehicles, or while working for Mennonite Village.
13. Profanity;
14. Harassment of any kind, (sexual, racial, religious, or other);
15. Falsification of records;
16. Fighting or threatening other employees;
17. Inability or unwillingness to get along with other employees;
18. Gossip that brings disharmony to the workplace;
19. Conducting personal business during work time or on work premises;
20. Sleeping on the job and/or otherwise leaving or not attending job station;
21. Off duty conduct which in the Company's view interferes with performance or negatively reflects on the reputation of the Company
22. Refusing to cooperate with an investigation; and
23. Violation of any other Mennonite Village policy or practice.

A Human Resources staff member or the supervisor will investigate disciplinary infractions. Employees are required to cooperate fully with any investigation.

Remember that Mennonite Village is an at-will employer, so you have the right to terminate your employment at any time and Mennonite Village has the same right.

If you work in more than one department at Mennonite Village and you have a serious disciplinary infraction in one department, your employment may be terminated in all departments.

An employee's overall record may be considered in determining what appropriate disciplinary action is. The Company will determine the facts, whether discipline is warranted and what level of discipline, including discharge is warranted.

We believe our rules and expectations are clear. If, however, you have any questions concerning the application or intent of these rules, please consult your supervisor. Your cooperation in observing our work rules and standards for conduct will make disciplinary action unnecessary.

#### ☞ GRIEVANCE PROCEDURE ☞

If you have a problem or a concern about any condition of employment, you may present your concern to your supervisor without fear of reprisal. If you are not satisfied with your supervisor's response, you are encouraged to put the concern in writing and present it to your administrator or director within seven working days of your supervisor's response. If you are not satisfied with your administrator/director's response, you may forward your concern to the Human Resources Director. The Human Resources Director will conduct an investigation and give that information to the VP Operations, if he/she is in your chain of command. If you are not satisfied with the response from the VP Operations, the matter will then go to the President/CEO.

**SERIOUSNESS OF DISCIPLINARY ACTIONS:**

To ensure consistency, the following guideline is provided for supervisors to use when administering disciplinary action.

<b>Minor</b>	<b>Serious</b>	<b>Major</b>
<p><b>Usual First Incident Response is:</b> coaching session; move to disciplinary process if problem continues</p>	<p><b>Usual First Incident Response is:</b> either second or final step of disciplinary process, depending on seriousness of incident and employee's record</p>	<p><b>First Incident Response is:</b> termination</p>
<p>A <b>minor</b> offense:</p> <ul style="list-style-type: none"> <li>▪ Poses no issue of honesty or trust</li> <li>▪ Poses no threat to the operation of the business</li> <li>▪ Poses no threat to safety or health</li> </ul>	<p>A <b>serious</b> offense:</p> <ul style="list-style-type: none"> <li>▪ May involve some risk to the ongoing operation of the organization</li> <li>▪ May pose some threat to safety, health, or well-being</li> </ul>	<p>A <b>major</b> offense:</p> <ul style="list-style-type: none"> <li>▪ Seriously threatens the ability of the organization to fulfill its mission</li> <li>▪ Threatens health and safety of employees or residents</li> <li>▪ Cannot be tolerated regardless of circumstances/provocation</li> </ul>
<p><b>Examples:</b></p> <ul style="list-style-type: none"> <li>✓ Making personal calls on work time</li> <li>✓ Tardiness</li> <li>✓ Failure to wear prescribed uniform</li> <li>✓ Overstaying breaks or taking breaks too frequently</li> <li>✓ Reporting false reason for absence</li> <li>✓ Loitering by timeclock</li> <li>✓ Loafing/goofing off</li> <li>✓ Working OT without authorization</li> <li>✓ Poor work quality</li> <li>✓ Failure to follow plan of care (non-safety issue)</li> <li>✓ Alcohol kept in personal vehicle on company property</li> </ul>	<p><b>Examples:</b></p> <ul style="list-style-type: none"> <li>✓ Intentional rudeness to resident or co-worker</li> <li>✓ Refusal to follow direct order</li> <li>✓ Fighting</li> <li>✓ Spreading malicious gossip</li> <li>✓ Harassment</li> <li>✓ Absence without notice (once)</li> <li>✓ Failure to use safety equipment</li> <li>✓ Failure to follow plan of care (safety issue)</li> <li>✓ Excessive absenteeism</li> <li>✓ Accepting cash gift from resident</li> <li>✓ Sleeping on the job</li> <li>✓ Keeping alcohol in building</li> <li>✓ Breach of confidentiality</li> <li>✓ Eating off resident trays</li> <li>✓ Lying</li> <li>✓ Workplace use of drugs or alcohol (staff who have completed trial service)</li> </ul>	<p><b>Examples:</b></p> <ul style="list-style-type: none"> <li>✓ Physical or mental abuse of resident</li> <li>✓ Theft</li> <li>✓ Absence without notice (three times)</li> <li>✓ Intentional falsification of records</li> <li>✓ Refusal to report for drug test</li> <li>✓ Selling drugs on campus</li> <li>✓ Workplace use of drugs or alcohol (staff on trial service)</li> </ul>

These examples are illustrative only and are not intended to be an exhaustive list of all possible causes of disciplinary action.

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