HR 18  Employee Code of Conduct

Classification: Human Resources
Responsible Authority: Director, Labour Relations
Executive Sponsor: Vice President, Human Resources
Approval Authority: Algonquin College Executive Team
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PURPOSE
To provide guiding principles regarding the conduct expected of all College employees in the performance of their duties.

To provide a mechanism to deal with employees who behave in a manner which is disruptive to the College environment, or which interferes with the well-being of other employees or which causes damage to College property.

SCOPE
This policy applies to all employees who enter into a working or service relationship with the College. This policy covers all College interactions and business dealings on College premises or off-campus.

DEFINITIONS

<table>
<thead>
<tr>
<th>Word/Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Caring</td>
<td>A sincere and compassionate interest in the well-being of the individual</td>
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<tr>
<td>Integrity</td>
<td>Trust, openness, honesty and fairness in all relationships and transactions</td>
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<tr>
<td>Learning</td>
<td>The pursuit of knowledge, personal growth and development</td>
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<tr>
<td>Respect</td>
<td>Value for the dignity and uniqueness of the individual, and the equity and diversity in the community.</td>
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POLICY

1. The College expects its employees to foster an environment which reflects the College values of Caring, Learning, Integrity and Respect, adhering to high ethical standards while performing their duties.

2. An Employee Code of Conduct offers guidance to its employees on standards of integrity and business conduct. No code can address every situation an employee may encounter. As a result, employees are expected to be guided by the letter and the spirit of the Code, and to exercise good judgment. In circumstances where they are unsure as to the proper course of action; they are to seek guidance from their immediate supervisor.
3. This policy centers on disciplinary actions to be taken by the College should the conduct of an employee be deemed in violation of this policy.

4. **Knowledge of College Policies and Regulations**

4.1 Employees need to be aware of and comply with the legislation and regulations that affect how they carry out their duties, including those of other countries when traveling out-of-country on College business.

4.2 Employees are expected to be familiar with the College policies relevant to their responsibilities and conduct themselves in a manner consistent with those policies.

<table>
<thead>
<tr>
<th>ACTION</th>
<th>RESPONSIBILITY</th>
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<tbody>
<tr>
<td>a. During employee orientation, review with new employees College policies applicable to all employees.</td>
<td>Human Resources Staff</td>
</tr>
<tr>
<td>b. During the department orientation, review with new employees those College policies relevant to their responsibilities.</td>
<td>Immediate supervisor</td>
</tr>
<tr>
<td>c. On an on-going basis, bring to the attention of their employees new policies and revisions to existing ones.</td>
<td>Immediate supervisor</td>
</tr>
<tr>
<td>d. Conduct oneself in accordance with the Code of Conduct at all times; seek guidance from the immediate supervisor if in doubt as to the proper course of action to follow.</td>
<td>Employee</td>
</tr>
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5. **Respect in the Workplace**

5.1 Employees are expected to demonstrate behaviours that reflect the College values of Caring, Learning, Integrity and Respect in all their interactions.

5.2 Employees are expected to promote and support a respectful, inclusive and safe work environment where everyone is treated with respect and dignity.

5.3 Employees are to act with transparency and impartiality to make sound, unbiased decisions in order to avoid any perception of conflict of interest. This would include ensuring that they do not benefit personally or professionally from any decision made within the context of their job, or allow outside interests to conflict with the employee’s position at the College, use the assets of the college for personal gain or supervise a family member in their direct chain of command.

6. **Professional Behaviour**

6.1. Employees are expected to act in a professional manner that includes meeting obligations, being truthful, being cooperative with College administration, maintaining integrity in their work and civility in their conduct and communications.
6.2. Employees are expected to present themselves in a professional manner including appropriate dress and personal appearance in keeping with the nature of the work they performed and the public image of the College they represent.

6.3. Employees are expected to contribute to a healthy and safe workplace by complying with all safety legislation and/or policies and by taking all reasonable precautions to ensure their own safety and that of others.

6.4. Employees are expected to ensure that their conduct does not jeopardize the good order and proper functioning of College operations and that they do not use College property or assets for anything other than legitimate College business, in accordance with policies pertaining to Conflict of Interest.

Nothing in the policy is meant to conflict with the College’s obligations to its employees under its various collective agreements or employment contracts.

Breaches of College policies and how the College will address violations are outlined below.

**PROCEDURE**

It is the policy of Algonquin College to provide guidance and/or corrective action to employees who violate the rules and regulations of the College. Algonquin College is committed to ensuring that every incident is investigated and the employee will be given the opportunity to explain the situation from his/her point of view. Prior to a decision on discipline, employees at stages 2 and 3 will be provided an opportunity to respond in writing and this will form part of the record documenting the incident.

**Action – Corrective Counselling/Discipline Stages**

a) Corrective Counseling/Discipline Stages must be followed if the employee has a confirmed incident or where there has been a breach of Algonquin College policies, rules or regulations. This is to allow the employee to correct, improve, or change his/her conduct before serious discipline or termination is required.

b) Progressive disciplinary procedure will be followed; however, the type of conduct may warrant administering discipline at a more advanced step in the process. Normally, the first occasion a supervisor has to speak to the employee for instruction or correction of some practice or activity will be treated as *coaching/counseling* and shall not be considered as a formal action.

c) Should a supervisor be required to speak to the employee on subsequent occasion(s), the following progressive disciplinary procedure will apply:

- Stage 1 – Written Counsel
- Stage 2 – Written Counsel
- Stage 3 – Final/Written Counsel
- Stage 4 – Termination of Employment

d) Similar or like violations are considered together when determining the next disciplinary stage in the progressive discipline procedure except where the severity of the incident warrants an advanced disciplinary response, or where the past record of the individual, regardless of the nature of the conduct, warrants an advanced disciplinary response.
Violations that are not similar are dealt with on an individual basis and will begin at Stage 1 unless they are reoccurring, or have developed to Stage 2 or 3.

Remedies and Sanctions

If the employee has reached the Third Stage of the corrective counseling action and the employee engages in conduct that warrants corrective counseling/discipline, the employee will proceed to Stage 4.

The employee may be put on an administrative leave with pay while an internal investigation takes place to determine the facts and the appropriate course of action. However, at any time during this period, should the investigation be taken over by law enforcement authorities, the paid suspension will end immediately. The employee will remain on unpaid suspension pending the outcome of the investigation.

Informal Steps - Coaching/Counseling Discussion

For any discussions with a bargaining unit employee that may lead to discipline, or is disciplinary in nature, an employee is entitled to union representation.

Supervisors and Managers will provide guidance to the employee with the goal of assisting the employee in meeting expectations. The employee will know what is expected prior to starting work and will be provided with the appropriate training and resources to meet the expectations. All issues regarding conduct will be discussed in a private setting. All issues will be discussed in a fair and consistent manner. The coaching/counseling discussion will be documented within the department’s management.

Formal Stages

Stage 1 – Written Counsel

i. If guidelines, standards of conduct, performance, attitude, or behavior continue to be disregarded or improvements are not made, the employee will be counseled by his /her Supervisor or Manager in writing.

ii. A representative from the Human Resources Department may also be present if requested by the Supervisor, Manager, or employee. The Supervisor will complete a written communication that will clearly explain the actions that must be taken to improve conduct and/or performance, and which may include a coaching plan if deemed necessary.

iii. The employee will be given the opportunity to respond verbally and in writing. The employee will be advised of future steps should improvements not be made. This documentation will be placed in the employee’s official personnel file and a copy will be provided to the employee.

Stage 2 – Written Counsel

i. In cases where there is a repeated occurrence of misconduct, performance problems or serious misconduct, the employee will be counseled again by his/her Supervisor or Manager with the issuance of a Stage 2 – Written Counsel. Coupled with Written Counsel, up to three (3) days of unpaid suspension may be warranted depend on the individual case.
ii. The employee will meet with the Department Manager or Supervisor to discuss the incident or lack of progress in meeting the expected standards of conduct and/or performance. A representative from the Human Resources Department may also be present if requested either by the Supervisor, Manager, or employee.

iii. The employee will be given the opportunity to respond verbally and in writing. All discussions will be documented and kept in the employee’s Human Resources file, and a copy will be provided to the employee.

iv. The employee may be required to develop an improvement plan with the assistance of his/her supervisor/manager, if deemed appropriate.

Stage 3 – Final Written Counsel

i. In cases of repeated performance problems, serious misconduct, or severe breach of performance standards, the employee will be issued a Stage 3 Final Written Counsel. Coupled with Written Counsel, up to five (5) days of unpaid suspension may be warranted depend on the individual case.

ii. The employee will meet with the Department Manager or Supervisor to discuss the incident or the lack of progress in meeting expected standards of conduct and/or performance. A representative from the Human Resources Department may also be present if requested by the Supervisor, Manager, or employee.

iii. The Supervisor or Manager will outline that the lack of progress in meeting the standards will jeopardize continued employment. The employee will be given the opportunity to respond verbally and in writing.

iv. All discussions will be documented and kept in the employee’s Human Resources file, and a copy will be provided to the employee.

Stage 4 – Termination

i. The employee may face employment termination if the previous steps have been followed and improvement is not evident and/or there is a further incident of misconduct and/or the performance standard not being met. However, depending upon the conduct at issue, Algonquin College reserves the right to impose discipline, up to and including termination of employment, upon first offence.

ii. Employment termination will be made with the consultation of the area’s Human Resources Business Partner, Labour Relations, the employee’s manager or supervisor, the area’s Vice President and College President.
**SUPPORTING DOCUMENTATION**
None

**RELATED POLICIES**
- AA 35  Confidentiality of Student Records
- AC 02  Client Service Standards for Persons with Disabilities
- AD 02  Freedom of Information and Protection of Privacy
- AD 12  Travel, Meals, and Hospitality
- HR 15  Return to Work with Modified Workload
- HR 12  Conflict of Interest
- HR 21  Staff-Student Personal Relationships
- HR 22  Respectful Workplace
- HS 03  Workplace Violence Prevention
- IT 01  Acceptable Use of Computer Networks and Accounts
- RE 02  Integrity in Research and Scholarly Activity
- SA 07  Student Conduct
- SA 03  Student Complaints

**RELATED MATERIALS**
- Academic Collective Agreement
  [http://www.thecouncil.ca/](http://www.thecouncil.ca/)
- Support Staff Collective Agreement
  [http://www.thecouncil.ca/](http://www.thecouncil.ca/)
- Administrative Terms and Conditions of Employment
  [http://www.algonquincollege.com/hr/labour-relations/employment-tc/](http://www.algonquincollege.com/hr/labour-relations/employment-tc/)
- Part-time Academic Terms and Conditions of Employment
  [http://www.algonquincollege.com/hr/forms-managers-toolkit/#ptc/](http://www.algonquincollege.com/hr/forms-managers-toolkit/#ptc/)
- Ontario Human Rights Code, R.S.O. 1990, cH.19, as amended
  [https://www.ontario.ca/laws/statute/90h19](https://www.ontario.ca/laws/statute/90h19)
- Ontario Occupational Health and Safety Act
  [https://www.ontario.ca/laws/statute/90o01](https://www.ontario.ca/laws/statute/90o01)
- Freedom of Information and Protection of Privacy Act
  [https://www.ontario.ca/laws/statute/90f31](https://www.ontario.ca/laws/statute/90f31)