

# COLUMBIA COLLEGE

## Employee and Student Incident and Grievance Procedures

<b>NOTE:</b>	<b>Clarification of Terms</b>
<b>Must; Shall; Will:</b>	These words or phrases indicate actions or activities that are <i>essential</i> or <i>mandatory</i> .
<b>Should:</b>	This word implies that it is highly desirable to perform certain actions or activities, but not essential or mandatory.
<b>May or Could; Can:</b>	These words imply freedom or liberty to follow an alternative to the action or activity being presented in a document.

### INTRODUCTION

One of Columbia College's goals is to create a positive, mutually respectful, personable, and highly focused working and learning environment where its employees and students work collaboratively and cooperatively with each other. However, from time to time, a student or an employee may be less than effective at achieving this goal. When this occurs, action may need to be taken.

The following document outlines the actions to be taken when an employee or student has not adhered to the college expectations, such as those noted above as well as in various documents (including role and responsibility documents or position descriptions). The Incident Procedures outline steps of progressive intervention.

The first step is to discuss the situation with the person who created the incident. If the matter continues to occur it may become necessary to complete an Incident Description Form. This should be submitted to the student(s) or staff member's Supervisor or Program Coordinator. This document also identifies the grievance procedures available to employees or students who feel they have been unfairly dealt with (see the attached flowchart).

### INCIDENT PROCEDURES

1. The initial action shall take place within 7 working days of the date the employee or student experienced an incident or situation they feel was not consistent with the college's expectations of students or employees.
2. Columbia College follows the principle of progressive intervention. As a result the following forms of action shall be followed when an incident occurs.

**Step 1** Verbal - The employee's or student's first step shall be to speak to the person who offended them. Students or staff members who find themselves having to respond to an incident or situation should speak to the person who offended them.

This should be done in a sincere, respectful, and courteous manner. They should arrange to speak to the individual, at a time and in a location that is private and mutually convenient for both parties. This will help to create a more personable and professional approach in solving the situation. Should the situation continue to occur, the employee or student may choose to speak to the individual two or more times if they feel it may help. Otherwise they may move on to Step 2.

In 99.9% of the cases an incident or situation is resolved at Step 1 through verbal discussion. Rarely does a matter have to go to Step 2.

Step 2 Written – If the employee or student continues to be offended by another individual they have the option to formally put their concerns in writing. To do this they will need to complete the Incident Description Form (see attachment).

Step 3 Supervisor – When the Coordinator/Manager of the offending employee or student receives the Incident Description Form(s) they will review them for completeness.

Once the supervisor has reviewed each Incident Description Form and, where necessary, spoken to the individuals regarding the situation or incident, they will determine a course of action in order to hopefully resolve the situation.

These actions may include the following:

- verbal discussion;
- verbal reprimand;
- written statement;
- written reprimand;
- probationary statement;
- statement of dismissal or withdrawal.

Step 4 Probation - An employee or student placed on probation shall be given a written notice, outlining the reasons. A probationary period shall not exceed sixty (60) days.

The written notice shall be addressed to the employee or student and shall indicate the effective date of the probationary period, the length of the probationary period, and the reason(s) for the probationary period.

Step 5 Dismissal or Withdrawal - The dismissal or withdrawal shall be confirmed by written notice to the employee or student within two (2) working days. It shall contain the reasons(s) for the dismissal or withdrawal.

3. Notwithstanding the foregoing, disciplinary action may commence at Step 5 in cases of criminal activity (i.e. theft), providing false information, physical or verbal abuse, alcohol or drug use on college premises, insubordination, or other incidents of equal gravity.
4. Documentation of disciplinary steps 3, 4, and 5 shall be in duplicate with one copy forwarded to the Accounting Office (for staff personnel files), or the Student Services department (for student files). A second copy shall be given to the employee or student.
5. An employee or student who has been subjected to disciplinary action at Step 3 may, after thirty-six (36) months from the date the disciplinary action was invoked, request the Coordinator/Manager to purge their personnel file of the disciplinary action. Such requests shall be granted providing:
  - 5.1. the employee's or student's file does not contain any further record of disciplinary action during that thirty-six (36) month period and/or
  - 5.2. the disciplinary action is not the subject of an unresolved grievance.

## GRIEVANCE PROCEDURES

1. A Grievance means a difference arising:
  - as to the interpretation, application or operation of an individual contract, enrolment, position description, or roles and responsibilities;
  - with respect to a contravention or alleged contravention of an individual contract, enrolment, position description, or roles and responsibilities.
2. Any employee or student who feels that he/she has been unjustly disciplined, discriminated against or terminated, shall have access to the Grievance Procedure.
3. A Grievance shall be resolved in the following manner:
  - Step 1 Within seven (7) working days from the date of the incident or knowledge of the incident, the employee or student shall discuss the matter verbally with their immediate supervisor in hopes of resolving the grievance.
  - Step 2 If no agreement is reached in Step 1, the employee or student shall present in writing their grievance to the immediate supervisor within seven (7) working days of the Step 1 meeting in hopes of resolving the grievance.
  - Step 3 If no agreement is reached in Step 2, a written statement of the grievance shall be submitted to the President within seven (7) working days of the Step 2 meeting.

Within seven (7) working days of receiving the statement of grievance, the President will determine his position on the matter. The President may or may not arrange to meet with the parties involved in Step 2 of the grievance. The decision of the President shall be final.
4. Either party may request an extension in writing of the time limits identified, provided that such extension is requested prior to the expiry of the time allowed. Where such extension is requested, it may not be denied unreasonably.
5. Should a grievor fail to follow the procedure and time limits established in the adjudication procedure, the grievance shall be deemed abandoned.
6. If in the opinion of the decision-making authorities, an employee or student has been unjustly put on probation, suspended, terminated, or withdrawn, the employee or student shall be reinstated in their position.

## DISCIPLINE PROCESS

Columbia College's objective when hiring employees is to establish a long term relationship. Our intent is to provide an environment through training, development and strong supportive leadership that will allow both the employee and the college to fulfill their objectives. There may be occasions when an employee's performance does not meet the acceptable standard. Employees must recognize that discipline is a method of correcting performance and not a punishment.

- Step 1: Verbal Warning – This is used to handle minor infractions. The purpose of this verbal warning is to give the employee a chance to correct improper behavior and/or improve performance. Even if it is referred to as a verbal warning, the discussion is documented in writing and kept in the employee's personnel file. Only the written warning is signed by the employee.
- Step 2: Disciplinary Review – This is a more formal verbal warning and includes a development plan. It will occur as a dialogue between the employee and the Chairperson/Manager and will take place in a private setting. Once again, this verbal review is documented in writing and kept in the employee's personnel file. Only the written warning is signed by the employee.
- Step 3: Written Warning – This will also occur as a dialogue between employee and Chairperson/Manager and the employee will sign on the written warning. This warning is kept in the employee's personnel file and warns of possible termination.
- Step 4: Termination – Termination of employment is an extremely serious action and is taken by the college only after a complete review of all the facts and where all other disciplinary measures have been exhausted. While a serious offense such as theft warrants termination for the first offense, several warnings may be given for lesser offenses.

The following are considered support for just cause:

- If the employee has received one or more written warnings in the recent past for the same or comparable offense,
- When considered in respect to the seriousness of the offense and the employee's service and record with the college, discharge is deemed the appropriate action,
- If the infraction is a culminating incident in a series of related and unrelated offenses, which when taken by itself is supportive of some discipline,
- If employee's performance and/or behavior have not improved, and
- Insubordination.

The lapse of time between offenses affects the disciplinary action taken. The employee is deemed to have corrected their behavior and previous offenses would not be used to impose a more severe form of discipline, however, it should be noted that disciplinary records are not removed from employee's personnel files.

Where an employee has committed various unrelated offenses over a period of time, the above time lapse does not eliminate consideration of such offenses in deciding whether or not the employee should be disciplined or discharged as an unsatisfactory employee. Disciplinary records are not removed from personnel files.

## VIOLATION OF THE LAW

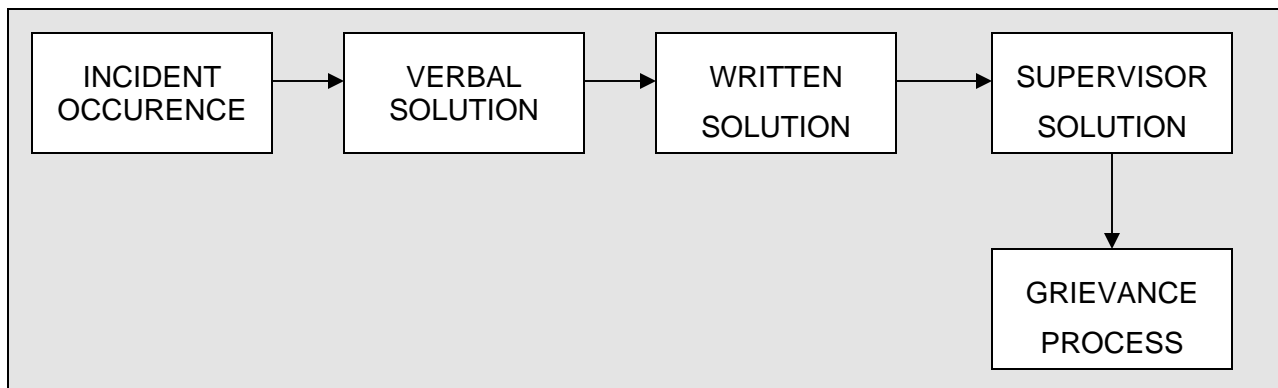
Columbia College expects employees to be watchful in the interest of preventing violations of the law. However, where violations of the law are suspected, no employee other than authorized management personnel may accuse any person.

The following are considered offenses warranting immediate discharge:

- Theft or misappropriation of college property, the property of employees or students,
- Embezzlement or theft of college funds,
- Falsification of timekeeping systems with intent to defraud the college, or
- Unauthorized access to college information and/or misuse of such information for personal gain so that the result is an actual or potential loss to the college.

Columbia College will report instances of crime against the college to the proper authorities, and when evidence justifies such action, will undertake and support prosecution. This stand is dictated by the college's public duty and by the fact that the prosecution may deter other like-minded individuals who may subsequently be tempted to commit crime. Columbia College will cooperate with the authorities in any prosecution of individuals who commit crime. The employee may be suspended with pay while the college is conducting an investigation of events.

Employee & Student Incident and Grievance Procedures Flow Chart



# COLUMBIA COLLEGE INCIDENT DESCRIPTION FORM

<b>NOTE:</b> <b>Must; Shall; Will:</b> <b>Should:</b> <b>May or Could; Can:</b>	<b>Clarification of Terms</b> <small>These words or phrases indicate actions or activities that are essential or mandatory.  This word implies that it is highly desirable to perform certain actions or activities, but not essential or mandatory.  These words imply freedom or liberty to follow an alternative to the action or activity being presented in a document.</small>
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## **DIRECTIONS**

This form was developed to assist staff and students who wish to report an incident or offense.

- Please describe the incident or offense you believe was committed.
- Please use one form for each person whom you feel committed an offense.
- After filling out the form, please hand it to the Program Manager responsible for the classroom or environment in which the incident/offense occurred.

## **REPORT**

Please refer to the GENERAL PROGRAM INFORMATION AND ACADEMIC REGULATIONS - STUDENT CONDUCT section of the college calendar for a complete description of what are defined as academic and non-academic offenses, as well as discipline and appeal procedures.

<b>1. Type of Offense</b>		
Academic	Plagiarism	Confidential Materials Disks
	Cheating	Duplication
	Outside Floppy	Other
Non-Academic	Disruption	Misuse or Misappropriation of College, Equipment, Facilities or Services
	Physical Abuse	Verbal Abuse
	Alcohol/Drug Abuse	Other
<b>2. Details</b>		
Who do you believe committed the incident?	Name:	Program/Department
When did the incident occur?	Date:	Time:
Where did the incident occur?	Location:	
<b>3. Witnesses</b>		
Who else observed the offense or may have knowledge of the offense?		
Name	Position (Staff, Student, etc)	Program/Department:
1.		
2.		
3.		
<b>4. Description</b>		
Briefly describe as simply and clearly as possible the events surrounding the incident (attach a page if necessary).		
<b>5. How should this incident be dealt with?</b>		
Briefly describe how you feel this incident should be dealt with? Describe how you feel this person should be handled.		
<b>6. Who completed this document</b>		
Name (Print):	Position (Staff, Student):	Program:
Signature:	Date Signed:	Program Chair Signature: