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## Misconduct and Progressive Discipline

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*Staff Manual*

*Approving Authority: President and Vice Chancellor*

*Established: January 2013 (Previously Discipline and Performance Management)*

*Date of Last Review/Revision: February 2026 (Replaces December 2018)*

*Office of Accountability: Human Resources*

### **1. Policy Statement**

St. Jerome's University is committed to fostering a safe, respectful, and inclusive work environment. All members of the community have the responsibility to contribute to an environment of mutual respect that reflects the mission and values of the University. Incidents of misconduct undermine the goals for our work environment and will be addressed promptly and fairly through a progressive discipline process.

The purpose of this policy is to provide a framework to handle incidents of misconduct with a fair process and outcomes that are in proportion to the seriousness of the misconduct. This framework will ensure that the process and outcomes are in compliance with the University's policies and applicable employment legislation.

### **2. Scope**

This policy applies to any incidents of staff misconduct, whenever and wherever they are conducting work for the University.

### **3. Definitions**

#### Misconduct

Misconduct refers to intentional or negligent actions that violate University policies, legal requirements, or represent a willful neglect of duties. Examples include but are not limited to:

- Insubordination
- Dishonesty or fraud
- Breach of confidentiality or misuse of confidential information
- Workplace violence, harassment, or sexual misconduct
- Discrimination and racism
- Being impaired in the workplace
- Breach of health and safety protocols

- Misuse of University property or resources
- Violation of university policies
- Illegal activity

Manager: An employee of the University who is responsible for directing the work of another employee and/or who has positional authority over another employee

Senior leader: The President or Vice President Academic and Dean

Respondent: The person whom is alleged to have engaged in misconduct

Investigator: Human Resources or a designated alternate

#### **4. Guiding Principles**

- Progressive discipline is a process intended to raise the staff member's awareness of a problem and set expectations regarding future conduct.
- All staff will be treated equitably and given an opportunity to respond to any allegations made against them.
- Discipline will be applied consistently across similar cases.
- The severity of discipline will correspond to the seriousness of the misconduct.
- All actions will comply with applicable University policies and applicable laws.
- The University recognizes that there may be circumstances when employees will have special needs that require accommodation in accordance with the Ontario Human Rights Code. Each circumstance will be dealt with on an individual basis. The University will work with each staff member to accommodate any individual needs and staff are expected to cooperate in the process.

#### **5. Disclosure of Potential Misconduct**

Situations of staff misconduct may be reported by any individual who has been directly affected by the behaviour, who has witnessed the behaviour, or who has become aware of it. Incidents should be reported to the most appropriate manager, senior leader, or Human Resources, and may be reported either verbally or in writing. Named reports are encouraged, as there may be limits to any potential investigation or resolution from limited information in anonymous reports.

If Human Resources is the alleged Respondent, the report should be made to the President.

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#### **6. Investigation**

When an allegation of misconduct is made to a manager or senior leader, the leader must engage Human Resources for guidance on the appropriate process to address the concern. If Human Resources is the alleged Respondent, the President shall be responsible for engaging an appropriate alternate.

Human Resources (or their designated alternate) will recommend appropriate next steps for an investigation, taking into consideration any other existing University policies that may be applicable. The extent of an investigation required, if any, will depend on the nature of an incident or the allegations and can vary from case to

case. Reasonable accommodations will be provided throughout the investigation process to ensure that anyone involved can participate fully.

The alleged Respondent will be given an opportunity to know the allegations of misconduct made against them and to respond to the allegations.

The Investigator will review the results of an investigation with the appropriate manager/senior leader and a decision will be made on any necessary discipline and/or corrective action. The Investigator will be responsible for ensuring that a fair process has been undertaken and that all relevant factors are taken into account prior to any discipline and/or correction action being taken.

In some circumstances, the University may deem it necessary to suspend a staff member from work during an investigation. Any such suspension is not considered a disciplinary measure and will be for no longer than is necessary to complete the investigation and does not imply that any decision has been made about the incident or allegation.

During any suspension, the staff member should not visit University premises or contact other University staff, faculty, students, contractors, or anyone involved in the investigation, unless authorized to do so by their senior leader. Suspended staff will continue to receive their full compensation and benefits during the period of suspension and will remain bound by their terms and conditions of employment. Suspended staff are required to cooperate with investigative procedures such as interviews or document disclosure.

## **7. Progressive Discipline Process**

The stages of the progressive discipline process typically are:

1. Verbal warning
2. First written warning
3. Final written warning and unpaid suspension
4. Termination of employment

While progressive discipline normally escalates in response to continued misconduct, the University reserves the right to repeat any progressive discipline step or to commence disciplinary action at any step up to and including immediate termination, where justified by the circumstances.

## **8. Confidentiality**

The University is committed to addressing disciplinary matters with respect for the privacy of the individuals involved. All reports and related material are to be kept confidential, except where necessary to protect employees, or when disclosure is required for the purposes of the investigation or taking corrective action, or as otherwise required by law.

All individuals involved with a disclosure or investigation will be instructed to maintain confidentiality regarding the matter, and to not discuss any details about the incident or investigation with others.

## **9. Record Keeping**

All records of disclosures, investigations, and responses to allegations will be retained in a confidential file in Human Resources. Any disciplinary actions will be documented and retained in the affected staff member's confidential Human Resources employee file.

**10. No Reprisal**

No one shall face reprisal for reporting misconduct or participating in an investigation. Reprisal or threats of reprisal will themselves be treated as misconduct.

**11. Support Resources**

- Human Resources
- Employee and Family Assistance Program ([Dialogue Health](#))
- [University of Waterloo Conflict Management Office](#)

**12. Related Information**

[St. Jerome's University Mission and Values](#)

[Ontario Human Rights Code](#)

[Workplace Violence and Harassment and Sexual Misconduct](#)

[Conflict of Interest](#)

[Health, Safety, and Environment](#)

[Accessibility for Persons with Disabilities](#)

[Expenses](#)

[Procurement](#)

[Corporate Credit Cards](#)

[Professional Development Plan](#)