

Employee Discipline

Your Right to Just Cause and Progressive Discipline

In disciplining employees, the Employer must follow the rules of just cause and “progressive discipline.” This means that the Employer must first determine that you have done something that warrants discipline (just cause), and then attempt to correct the behaviour through lesser forms of discipline before progressing to more severe discipline.

In cases of serious misconduct in the workplace, such as violent assault or theft, the Employer may have the right to discharge you from your employment without progressive discipline.

The Discipline Process

Throughout the discipline process, AMAPCEO recommends you contact a trained [Workplace Representative](#) to assist you. You have the right to bring a Workplace Representative to any meeting regarding discipline or that may lead to discipline.

In most cases you will have the opportunity to present any mitigating factors that you would like your manager to consider in assessing the discipline to be imposed. Examples of possible mitigating factors include:

- no prior discipline on record;
- satisfactory work performance;
- length of service;
- misconduct was impulsive rather than premeditated;
- demonstrated remorse for the misconduct;
- no serious harm was done;
- an illness (including addiction) that might have a link to the misconduct; and
- a likelihood that the misconduct will not recur or that the prospect of rehabilitation is high.

Personnel Files and Disciplinary Records

If you are disciplined, the Employer will place a record of its disciplinary action in your personnel file. You have the right to include your own explanation as an attachment to the disciplinary letter. All disciplinary letters and records must be

removed from your personnel file after 18 months, provided your record has remained discipline free during that time (see Article 21).

Disputing Disciplinary Action

If you believe that you have been disciplined without just cause or in a manner inconsistent with progressive discipline, you can work with your Workplace Representative to request that AMAPCEO file a dispute on your behalf.

Questions?

Please direct any questions to an AMAPCEO Waypoint [Workplace Representative](#). A complete list of Workplace Representatives can be found on the AMAPCEO website at www.amapceo.on.ca