

 ROYAL CANADIAN MARINE SEARCH & RESCUE <i>Saving Lives on the Water</i>	POLICY	
	HR-115 Discipline of Members	
	Original Date	Revision Date
	July 6, 2019	December 1, 2020

Policy

A member's work performance and conduct should contribute to advancing RCMSAR's objectives, mission, and reputation.

When a member's performance or conduct is unsatisfactory or fails to meet RCMSAR's expectations, corrective action may be taken using a progressive discipline approach.

Reason for Policy

The purpose of the policy is to establish a fair and equitable process to manage member performance issues with the goal of correcting the issue.

Definitions

Discipline – a measure or action imposed by RCMSAR to modify a member's unsatisfactory conduct or poor performance and/or to clarify expected conduct or performance.

Progressive Discipline – the process of using increasingly severe steps or measures when a member fails to correct a problem after being given a fair and reasonable opportunity to do so.

Member – includes both employees and volunteers

Manager – an RCMSAR leader that is responsible for the performance of a member. This includes both station-based and Head Quarters leadership positions.

Termination - is the severing of the membership and/or employment relationship

Guidelines

When is discipline warranted?

- If a member is not meeting/fulfilling the requirements of their duties or position

- Failure to comply with legislation, RCMSAR by-laws, policies, procedures or required standards or protocols
- For inappropriate behavior i.e. theft, fraud, insubordination etc.
- For harassment, discrimination, bullying, or aggressive acts towards any member
- For conduct including off duty conduct that has a detrimental effect on the reputation of RCMSAR or the member relationship
- For conduct that erodes trust in a member
- For commission of an offence that results in criminal charges or conviction

Process:

RCMSAR has adopted a four-step progressive discipline process.

Having a structured process to set clear expectations and hold members accountable for performance and behavior issues can help ensure a smooth transition in those rare cases where a member needs to be terminated.

In each step of the process, the following should be reviewed with the member:

- a description of the conduct and/or the performance shortfall
- the expectations of the member regarding conduct and performance
- any previous discipline for the same or related conduct
- any supports available to assist the member to correct the behavior
- the consequences of failing to correct the undesired behavior

Although RCMSAR has adopted a progressive discipline approach a serious offense may result in suspension or termination of membership/employment without having to proceed through the prior steps. In this case the Manager, Human Resources (MHR) must be informed as the circumstances and concur with eliminating any steps.

Step 1: Verbal Warning

The first step in the progressive discipline approach is to merely have a conversation with the member. This conversation is to help the member understand how their performance or conduct must change and the consequence of not changing.

Following the conversation, the manager will document the date, time, content of discussion and the mutually agreed-upon behaviour changes.

Step 2: Written Warning

The second step is to have another conversation that is documented and provided to the member in written form. A copy will also be placed on the member's file.



The written warning will include a description of issue that has prompted the warning, RCMSAR's expectation for improvement of the member's behaviour, a description of the consequences if expectations are not met, and the time frame for meeting expectations.

Step 3: Member Suspension and Improvement Plan

The third step is suspending the member from their duties for a defined period. During the time away, the member will be directed to develop a plan of action for improved performance.

The intent of this step is to give the member some time to think about the situation and reflect on whether they want to make a sincere effort to improve – and what steps they will take to make that improvement.

When the member returns, the Manager Human Resources will review the plan with the member and adjust as required. A copy of the performance plan will be placed on the member's file.

Failure to develop an improvement plan or comply with it following the manager's review will trigger step four of the process – Termination of Membership/Employment.

Step 4: Termination of Membership/Employment

The final step in the process is terminating the membership/employment relationship with RCMSAR.

The Manager HR must be consulted, in advance of such as step, as in many cases they will be involved in any investigative steps that occur.

If the three prior steps are done effectively, the termination should come as no surprise to the member. Further, there will be enough documentation for a successful termination. It is critical that all involved ensure that proper notes are taken, and the steps occur in a fair and transparent manner. Failure to do so could result in the member seeking a legal or regulatory remedy. For this reason, if at any time the supervisor is unclear as to what steps to take, they are required to seek advice from the Manager, Human resources.

The member will be provided with a written confirmation of their termination, and a copy will be placed on the member's file.

For clarity, a member may be immediately suspended from their duties by an RCMSAR leader if the member's actions or conduct puts a mission or training in jeopardy or the transgression is of a serious nature. The MHR must be immediately informed, and the next step determined in consultation with the MHR.

Appeal Process

Should a member or members disagree with the decision to implement a suspension or affect a termination they can appeal to the Chief Executive Officer (CEO). This must be done in writing and within fourteen days of being informed of the suspension or termination. The CEO will review the information that led to the action and will speak to the individuals involved. A review decision will normally be rendered within fourteen days of the submission of the appeal. In the



alternative the CEO may provide the disciplined member with a revised date and the reason for the continuance such as referring the case to an outside expert for input. The CEO is the final level for appeal with RCMSAR.

The CEO can make the following rulings:

1. confirm that the action taken stands; or
2. replace it with the alternate action, or
3. rescind the action taken