

Number:	RHR-225
Title:	Disciplinary Action
Person responsible for enforcement:	Vice-Rector, Administration
Entered into force:	May 30, 2018
Approved:	May 30, 2018 by the Board of Governors
Revision approved:	August 7, 2024 by Administrative committee <i>This document replaces all previous regulations on this subject.</i>
Exception:	No exception to this regulation without prior written authorization from the Board of Governors

In this document, the masculine form is used without prejudice and for conciseness purposes only.

1. Policy statement

The University wishes that members of the staff can do their work not only in a productive but also in harmonious atmosphere. To this end, appropriate standards of behaviour must be observed by all members for the benefit of the entire community.

When one member deviates from these standards, the University wants the necessary sanctions to be appropriate and that the member be treated fairly, in accordance with current laws and practices in labour relations.

2. Definition

The expression “wrongdoing” applies to actions deemed harmful to the interests of the University or its employees.

3. Regulation

The appropriate sanctions to correct behavior or wrongdoing must take into account the following elements:

- a) the seriousness of the breach;
- b) the employee’s past history, as documented in his official file;
- c) extenuating circumstances, if any.

Normally, the penalties for misbehavior or wrongdoing are applied progressively, in the following stages:

3.1 Verbal warning

When an employee commits wrongdoing, his immediate supervisor must immediately give him a verbal warning. The supervisor must also warn the employee that the next offense will result in a written warning, a copy of which will be filed with Human Resources Services in his employee file.

3.2 Written warning

In the case of repetition of wrongdoing, the immediate supervisor must give written notice to the staff member stating the nature of the offense and that the next offense could lead

to a suspension without pay. A copy of the letter must be sent to Human Resources Services and placed in the employee's file.

3.3 Suspension without pay

In case of repetition of wrongdoing after a written warning, the principle of reasonable progression may result in the imposition of a suspension without pay from one to five business days, depending on the seriousness or the recurrence of the offense. The immediate supervisor must then consult the Director of Human Resources Services before imposing the penalty. Such a measure must also be approved by the Vice-Rector.

The decision must be communicated in writing to the employee by the immediate supervisor, and a copy of the letter sent to Human Resources Services and placed in the employee's file. This letter must describe very precisely, the nature of the offense and must warn the employee that the next similar offense will lead to more serious action, up to that of a termination.

3.4 Termination of employment

When, despite disciplinary action, the employee continues to commit wrongdoing, termination of employment may be considered.

The immediate supervisor must then consult the Director Human Resources Services, who must ensure compliance with applicable laws and regulations. Any termination must be approved beforehand by the Administration Committee. The dean of the faculty or the director of the service then communicates the decision to the employee in a letter, with a copy to Human Resources Services to be placed in the employee's file.

4. **Rules for implementation**

4.1 Omission of step

In some cases, due to the seriousness of the wrongdoing and the consequences of the act, including situations where the relationship of trust is irreparably broken, one or more steps of the regulation may be omitted. However, this is not possible without the prior approval of the Director of Human Resources Services.

4.2 Serious misconduct

Where the nature of the wrongdoing is very serious, disciplinary action up to and including immediate termination can be taken. The applicable procedure shall be the one mentioned above.

4.3 The employee's file

After a period of two years, any fault committed and recorded is removed from the files, provided no other similar offense has been committed during this period.

5. **Investigation**

5.1 The immediate supervisor must investigate any wrongdoing. If the immediate supervisor deems that a broader investigation is required, the Human Resources Services may provide support, either by conducting the investigation itself or by entrusting it to a neutral

internal or external third party. The extent of the investigation, which will depend on the nature of the act, will vary from case to case.

- 5.2 In certain circumstances, the University may have to suspend a member of the staff for the duration of the investigation. This does not constitute a disciplinary measure in itself and does not mean that a decision has been taken.

During the period of suspension, pending the outcome of the investigation, the staff member:

- a. may not access the University campus or communicate with other staff or students, suppliers, contractors or anyone involved in the investigation, without the permission of the Human Resources Services director;
 - b. will receive full pay, including benefits, and remain bound by their terms and conditions of employment;
 - c. must comply with investigation procedures, such as interviews or disclosure of documents.
- 5.3 The staff member must be made aware of the allegations made against them, be heard and be able to respond to these allegations.
- 5.4 All participants in the investigation process, including the member of staff, must respect confidentiality at all times.
- 5.5 The member of staff may be accompanied during the investigation process by a person of their choice, but it is understood that this person does not have speaking rights.