

Issue of the day: Discipline



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Article 20.03 (2nd paragraph) & 20.04—Suspension and Discipline

Union Proposal:

20.03 Amend to read:

The Employer will initiate any disciplinary investigation no later than fifteen (15) days after the incident comes to the Employer's attention. Upon initiation of an investigation the employer shall advise the local President, or his or her designee, and the employee involved, that such investigation has commenced. The employee shall also be advised of the specific details of the incident. The union representative shall be provided with copies of all statements prior to the 1st investigation meeting. Any such investigation will be completed and the union advised of the results of the investigation in writing, within ten (10) days from the date of original notification.

20.04 Amend to read:

Any document or written statement related to disciplinary action, which may have been placed on the personnel file of an employee, shall be destroyed after twenty-four (24) months have elapsed since the disciplinary action was taken, provided that no further disciplinary action of a similar nature has been recorded during this period.

Rationale:

Our proposal for Article 20.03 is designed to achieve two things. To ensure that the Employer knows what the issues are before an investigation begins and that they complete the investigation process in a timely fashion. Far too often we have seen investigations linger on and on with no end in sight. The Employer didn't think that taking four (4) months to complete an investigation was too long.

Our proposal for Article 20.04 is to have documents or written statements related to disciplinary action, placed on the personnel file of an employee, removed if no similar disciplinary action took place within a twenty-four month period. During bargaining the Employer told us that bad people have different ways of acting up and therefore doesn't want "of a similar nature" in the collective agreement because it takes longer to discharge them.

If people are not performing, the Employer needs to get them on a different track. Managers are expected to manage and if people are not performing, the Employer wants to move them out of the company. In the Employer's words, they "want to fill the bucket as quickly as possible" (with disciplinary issues).