

Conducting a Disciplinary Process

Meeting notes:

- **Meeting Introduction:** Carole, Bonnie, and Mychaela introduced themselves and set the tone for the meeting, emphasizing the importance of privacy and confidentiality during the discussion.
 - **Introductions:** Carole, Bonnie, and Mychaela introduced themselves, mentioning their roles and experience. Carole welcomed everyone and set the tone for the meeting, emphasizing the importance of privacy and confidentiality during the discussion.
 - **Privacy Emphasis:** Bonnie and Mychaela stressed the importance of maintaining privacy and confidentiality throughout the meeting. They reminded participants to avoid mentioning specific names and to keep discussions general to protect individuals' privacy.
- **Disciplinary Process Overview:** Bonnie and Mychaela provided an overview of the disciplinary process, including the steps involved, the importance of following a specific process, and the potential outcomes. They emphasized the need for thorough investigation, clear communication, and fair treatment of employees.
 - **Process Steps:** Bonnie outlined the steps involved in the disciplinary process, including investigating allegations, informing the employee, conducting a disciplinary meeting, and making a final decision. She emphasized the importance of following these steps to ensure a fair and transparent process.
 - **Investigation Importance:** Bonnie highlighted the need for a thorough investigation, including gathering written statements, interviewing witnesses, and documenting all interactions. She stressed that a well-documented investigation is crucial for a fair disciplinary process.
 - **Clear Communication:** Bonnie and Mychaela emphasized the importance of clear communication throughout the disciplinary process. This includes informing the employee of the allegations, potential outcomes, and their right to bring a support person to meetings.
 - **Fair Treatment:** Bonnie and Mychaela stressed the need for fair treatment of employees during the disciplinary process. This involves giving employees the opportunity to respond to allegations, considering their explanations, and ensuring they are supported throughout the process.

- **Investigating Allegations:** Bonnie explained the importance of investigating allegations thoroughly, including interviewing witnesses, gathering written statements, and documenting all interactions. She highlighted the need for clear communication and obtaining consent from individuals involved in the investigation.
 - **Interviewing Witnesses:** Bonnie discussed the importance of interviewing witnesses as part of the investigation process. She advised having a set of questions for each witness and ensuring their statements are documented accurately.
 - **Written Statements:** Bonnie emphasized the need for written statements from individuals involved in the investigation. She suggested confirming in writing that the information provided can be shared during the disciplinary process.
 - **Documentation:** Bonnie highlighted the importance of documenting all interactions during the investigation. This includes keeping detailed notes of interviews, statements, and any other relevant information to ensure a transparent and well-documented process.
 - **Clear Communication:** Bonnie stressed the need for clear communication with all parties involved in the investigation. This includes informing them of the process, obtaining their consent to share information, and keeping them updated on the progress of the investigation.
- **Informing the Employee:** Bonnie discussed the importance of fully informing the employee about the allegations and the disciplinary process. She emphasized the need for a written invitation to a meeting, including details of the concerns, potential outcomes, and the right to bring a support person.
 - **Written Invitation:** Bonnie explained that employees should receive a written invitation to the disciplinary meeting. The invitation should include details of the allegations, the date and time of the meeting, and the potential outcomes of the process.
 - **Support Person:** Bonnie emphasized the importance of allowing the employee to bring a support person to the meeting. This support person can provide emotional support and ensure the employee understands the process and their rights.
 - **Details of Concerns:** Bonnie advised that the written invitation should clearly outline the specific concerns and allegations against the employee. This ensures the employee is fully informed and can prepare their response.

- **Potential Outcomes:** Bonnie highlighted the need to inform the employee of the potential outcomes of the disciplinary process. This includes possible warnings, final warnings, or dismissal, depending on the severity of the allegations.
- **Disciplinary Meeting:** Bonnie provided guidance on conducting a disciplinary meeting, including taking detailed notes, allowing the employee to respond to allegations, and avoiding making decisions during the meeting. She stressed the importance of maintaining a fair and transparent process.
 - **Meeting Notes:** Bonnie emphasized the importance of taking detailed notes during the disciplinary meeting. She suggested having a second person present to take notes or using a recording device, with everyone's consent, to ensure accuracy.
 - **Employee Response:** Bonnie advised allowing the employee to respond to the allegations without interruption. This provides the employee with an opportunity to explain their side of the story and present any evidence or mitigating factors.
 - **Avoiding Decisions:** Bonnie stressed that no decisions should be made during the disciplinary meeting. The purpose of the meeting is to gather information and hear the employee's response, with decisions to be made after careful consideration of all the facts.
 - **Fair Process:** Bonnie highlighted the importance of maintaining a fair and transparent process throughout the disciplinary meeting. This includes being clear about the purpose of the meeting, allowing the employee to have a support person, and ensuring all relevant information is considered.
- **Mental Health Considerations:** Bonnie and Mychaela discussed the importance of considering employees' mental health during the disciplinary process. They highlighted the need to provide support, seek medical advice if necessary, and ensure a safe and healthy work environment.
 - **Support Provision:** Bonnie and Mychaela emphasized the need to provide support to employees with mental health issues. This can include offering counseling services, allowing time off, or making adjustments to their workload to reduce stress.
 - **Medical Advice:** Bonnie and Mychaela advised seeking medical advice if an employee discloses a mental health condition. This can help determine the best way to support the employee and ensure their well-being during the disciplinary process.
 - **Safe Environment:** Bonnie and Mychaela highlighted the importance of ensuring a safe and healthy work environment for all

employees. This includes being mindful of the impact of the disciplinary process on employees' mental health and taking steps to mitigate any negative effects.

- **Case Study:** Bonnie shared a case study where an employer failed to adequately consider an employee's mental health during a performance management process. The court ruled that the employer should have sought more detailed medical advice and adjusted the process accordingly.
- **Final Decision and Communication:** Mychaela explained the process of making a final decision after considering the employee's response and any additional information. She emphasized the importance of clear communication, providing a written summary of the decision, and outlining any required actions or training.
 - **Decision Making:** Mychaela explained that the final decision should be made after carefully considering the employee's response and any additional information. This ensures that the decision is fair and based on all available evidence.
 - **Clear Communication:** Mychaela emphasized the importance of clear communication when delivering the final decision. This includes providing a written summary of the decision, outlining the reasons for the decision, and detailing any required actions or training for the employee.
 - **Required Actions:** Mychaela advised that the final decision letter should outline any required actions or training for the employee. This ensures the employee understands what is expected of them moving forward and how they can improve their performance or behavior.
 - **Opportunity for Feedback:** Mychaela highlighted the importance of giving the employee an opportunity to provide feedback on the final decision. This can help address any concerns or misunderstandings and ensure the employee feels heard and supported.
- **Serious Misconduct and Suspension:** Mychaela discussed the handling of serious misconduct and the process of suspension. She emphasized the need for clear evidence, detailed documentation, and seeking advice before proceeding with suspension.
- **Questions and Answers:** Bonnie and Mychaela addressed various questions from participants, providing clarification on topics such as recording meetings, handling inherited performance issues, and dealing with mental health disclosures.

- **Closing Remarks:** Bonnie and Mychaela provided their contact information for further questions and thanked participants for attending the webinar. They mentioned that a recording of the session would be shared with attendees.