

Policy Title: Standard of Behaviour**Policy Number: 01-03-07**

Section:	Human Resources	Subsection:	Employee Conduct
Effective Date:	March 31, 1999	Last Review Date:	April 2007
Approved by: Council	Owner Division/Contact: Human Resources		

Policy Statement

City of Mississauga employees are expected to conduct themselves and perform their duties in a responsible and professional manner.

Purpose

Various City of Mississauga by-laws, agreements, policies and procedures outline specific actions to be taken by employees and may, directly or indirectly, establish expectations for employee conduct under specific circumstances (e.g. declaration of conflicts of interest; investigation of fraud and theft; attendance management; personal harassment; fair and impartial purchasing; etc.). The purpose of this policy is to clarify for employees the City's expectations regarding the general behaviour of employees, which may not be specifically addressed in other policies.

Scope

This policy applies to all City of Mississauga employees. While volunteers are not employees of the Corporation, they are also expected to conduct themselves in accordance with the employee standards established by this policy.

Standard of Behaviour

Employees are expected to behave in a professional and responsible manner, both to members of the general public and to each other. This standard of behaviour may apply while the employee is off duty, as well as on duty, if the employee's off-duty behaviour is prejudicial to the City's interest and/or if the behaviour impairs the employee's work performance, or impairs the trust and confidence that an employer is entitled to expect in an employee and/or if the behaviour has negative consequences for the Corporation.

Appropriate action, which may include disciplinary action and/or the imposition of an assessment period, will be taken to address unacceptable behaviour.

Unacceptable Behaviour

Supervisory and management staff are expected to use discretion in determining whether an employee's behaviour is unacceptable.

If an employee has been guilty of serious misconduct; habitual neglect of duty; incompetence; conduct incompatible with his or her duties or prejudicial to the City's interest; or if he or she has been guilty of wilful disobedience of the City's orders in a matter of substance, the City is entitled to take remedial action. Such action against an employee may include discipline, which may, in turn, include dismissal.

Without limiting the generality of the foregoing, examples of unacceptable behaviour include, but are not limited to:

- Failure to disclose a conflict of interest (refer to Corporate Policy and Procedure - Conflict of Interest)
- Commission of fraud or theft in relation to City property (refer to Corporate Policy and Procedure - Fraud and Theft)
- Discrimination, harassment or bullying in the workplace (refer to Corporate Policy and Procedure – Respectful Workplace)
- Violence in the workplace (refer to Corporate Policy and Procedure – Workplace Violence)
- Excessive absenteeism or lateness (refer to Corporate Policy and Procedure – Attendance Support and Management System)
- Possession of, or working under the influence of, alcohol or illegal drugs
- Misrepresentation or falsification of employee records (e.g. timekeeping records, credentials, etc.)
- Release of information confidential to the City
- Incompetent, negligent or improper conduct prejudicial to the interest of the City
- Insolence and/or insubordination
- Breach of the rules of the City (i.e. By-laws, policies, procedures, rules or regulations of a department or division)
- Abuse of authority, and
- Inappropriate and unwanted physical contact

Individual departments or divisions may develop additional or more specific guidelines, based on the nature of the work performed.

Disciplinary Action

Supervisory/management staff will consider the circumstances under which the behaviour occurred, the level of responsibility of the employee and whether the employee should have known that the behaviour was not acceptable when determining appropriate disciplinary action.

The departmental Human Resources representative must be consulted to determine appropriate disciplinary action and to ensure that necessary documentation is kept. The immediate supervisor should bring unacceptable behaviour to the attention of the employee responsible. Management staff and the departmental Human Resources representative may be included in the discussion with the employee. The employee should be made aware of what was done wrong, what is expected in the future and what the consequences will be.

Disciplinary action may be progressive (i.e. verbal warning, followed by written warning, followed by suspension, followed by dismissal) or, where the conduct is more serious, may take the form of immediate suspension from or termination of employment. Union employees will be disciplined subject to any applicable provisions of their particular collective agreement.

Assessment Period

An employee may be placed on an assessment period as a method of managing employee performance or behaviour. The length of the assessment period is determined according to the employee's specific situation - there is no standard assessment period for either union or non-union employees in these circumstances.

Supervisors must consult with the departmental Human Resources representative prior to imposing assessment periods and prior to extending such periods.

The departmental Human Resources representative will confirm that an assessment period is necessary; ensure that the period is appropriate; and ensure that the details of the assessment period are documented appropriately.

Monitoring Assessment Period

It is the responsibility of the supervisor to monitor the employee's performance during the assessment period. Monitoring and documentation during the assessment period will ensure that decisions made at the end of the period can be justified. The supervisor must ensure that:

- His or her expectations are made clear to the employee, prior to commencing the assessment period
- Regular check-point meetings and coaching sessions as necessary, are held with the employee during the assessment period
- Any concerns are documented and shared with the employee, and
- Appropriate actions are taken to assist the employee to address concerns

If the employee is unsuccessful in completing the assessment period, the supervisor may consider either termination of employment or extension of the assessment period. Such decisions must be made in consultation with the departmental Human Resources representative. The decision must be documented, with appropriate justification.

Extension of an assessment period can be considered only if it can be demonstrated that there were unusual circumstances that would justify a longer period. Assessment periods may be extended only once and for a period of no more than six months. The employee must agree to the terms of the extended assessment period. Where an employee refuses to agree to an extension of the assessment period arising from his or her conduct or incompetent performance, termination should occur.

Revision History

Reference	Description
GC-175-99 - 1999 03 31	
May 23, 2007	Amended to reference Respectful Workplace policy
June 09, 2010	Housekeeping amendment to reference Workplace Violence policy