

3.2 - Conduct - Policy

Section: Human Resources
Subject: Conduct
Policy: 3.2
Approved: December 18, 2001
Reviewed: May 21, 2013
Revised: November 1, 2015

Employees are expected to follow direction when given to them. In addition, employees are not permitted to determine whether there is a violation to the Collective Agreement and rectify it outside of due process.

The above principles apply in all situations, except where the supervisor/manager's instructions would:

- endanger an employee's health and safety
- require the employee to perform an illegal act
- expose the employee to potential legal liability
- in the case of a Union representative, result in irreparable harm to the interests of other employees

If an employee perceives the instruction to fall under any of the above exceptions, the employee shall immediately notify the supervisor/manager. If resolution of the concern is not achieved in consultation with the supervisor/manager, the employee shall follow the "chain of command" to seek confirmation. At Carlton Trail College, the "chain of command" is:

employee, in-scope supervisor, out-of-scope supervisor, President and CEO and Board of Directors

Supervisors/managers are expected to issue instructions that relate to the harmony, efficiency and/or safety of the workplace and to ensure that such directions are enforced equitably and without discrimination.

Failure to follow a supervisor or manager's direction, except under the noted exceptions, may lead an employee towards a charge of insubordination.

(reference: Brown and Beatty 7:3623)

3.2 - Conduct - Procedure

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The Executive Team will assess a charge of insubordination using at least one of the following criteria:

- Was the employee's conduct sufficiently injurious to the interests of the College?
- Did the employee act in a manner incompatible with the due and faithful discharge of the employee's duty?
- Did the employee do anything prejudicial, or likely to be prejudicial, to the reputation of the College?

Factors that may lead to discipline are as follows:

- The conduct/charge of the employee harms the College's reputation or service.
- The employee's behavior renders the employee unable to perform their duties satisfactorily.
- The employee's behavior leads to refusal, reluctance or inability of other employees to work with the employee.
- The employee has been guilty of a serious breach of the Criminal Code, thus rendering the employee's conduct injurious to the general reputation of the College and its employees.
- The situation places difficulty in the way of the College to properly carry out its function of efficiently managing its work and directing its work force.
- The employee refuses to follow a reasonable job-related directive from his or her supervisor.
- The employee refuses to perform an essential part of his or her job duties in the future.
- The employee challenges the supervisor's authority in a manner such that the employee and supervisor are no longer able to maintain a working relationship or the incident destabilizes the supervisor's credibility in the workplace, and, thus, his or her ability to properly supervise.

(references: Brown and Beatty 7:3010, 7:3420)