

FORMAL DISCIPLINARY PROCESS – CANADA

Policy Statement: The formal disciplinary process is used to address associate behavior or performance that does not meet standards.

The manager should establish behavior and performance standards during orientation. When these standards are not met, the manager should coach an associate immediately so that they know what is expected. Documentation of the coaching should be made on a memo such as the Record of Discussion Form or by using the Coaching Guide and kept in the associate's file.

Applies to: all managers with direct reports

Procedure:

When coaching fails to correct the inappropriate performance or behavior, or a more serious problem occurs, the manager should utilize the formal counseling process.

IMPORTANT: The Counseling Form should be used for managers to document the *initial, follow-up, and one-time* counselings.

INITIAL COUNSELING

If an associate has been previously coached on performance or behavior problems and the issues continue, an initial counseling will result. If the issue or situation warrants, an associate may receive an initial counseling without prior coaching. Counseling occurs when the associate and his manager and a witness meet to formally discuss the associate's behavior or performance. The associate is warned that repeated performance or behavior problems will result in further disciplinary action.

The form should specifically detail the associate's infraction(s), giving dates of infractions(s) as well as reference to the past counseling (if applicable). The counseling should be strictly based on facts and not on any emotional bias. Counseling will also include the consequences should the associate not correct the problem. Deadlines are also discussed. The documented counseling should not be drafted or decided on as the course of action until the associate has an opportunity to voice their side of the issue.

Give the associate an opportunity to make written comments on the document before asking him/her to sign it. If the associate refuses to sign, the manager notes the associate's refusal to sign on the associate signature line and along with the witness, initials the refusal (i.e. "associate refused to sign"). One copy is placed in the associate's Confidential Personnel File and one copy is given to the associate.

IMPORTANT NOTE: The associate's manager conducts the counseling; the other is there to serve as a witness. The manager and the witness must also sign the counseling form.

If an associate is experiencing a personal problem that is affecting her performance, the manager should consider suggesting that the associate call the Employee Assistance Program (EAP). The EAP referral should not preclude the manager from enforcing performance expectations or administering discipline as is otherwise appropriate.

FOLLOW-UP COUNSELING AND ONE TIME COUNSELING:

If after an initial counseling, performance or behavior does not improve, a follow-up counseling will result. The associate is warned that repeated performance or behavior problems may result in termination of the associate's employment. If the issue or situation warrants, an associate may receive a onetime counseling without prior coaching or counseling.

For initial, follow-up and one-time counselings prior to meeting with the associate, the manager must complete the Counseling form, documenting the reason for the counseling, consequences and deadlines.

IMPORTANT NOTE: the Regional Manager and the Associate Relations must approve all counselings in advance.

COUNSELING TIPS:

The following are guidelines to use in preparing and conducting counseling sessions.

- Indicate whether this is an initial, follow-up, or one-time counseling.
- Make sure the infraction indicated accurately represents the counseling issue(s). More than one infraction should be checked on the form if applicable

COUNSELING CATEGORIES:

Attendance	Unsatisfactory Performance/Behavior	Violation of Company Policy/Procedure
Example: Any part of a scheduled work shift for which the associate is not present. Examples; lateness, absenteeism, long lunches, unauthorized breaks, missing a mandatory store meeting, etc.	Examples: Not meeting standards set forth in the job description or the Company's policies and procedures, etc. Unprofessional conduct, disruptive or argumentative behavior, insubordination, dishonesty, sexual harassment, using profanity or abusive language to customer/associates, implied or actual harm to customer/associates, destruction of Company property, etc.	Examples: Not following the call-in procedure, timing a job out before it is completed, unauthorized use or removal of Company property, etc.

**These examples are not intended to be all-inclusive, but merely illustrative*

Guidelines for completing the Counseling Form:

Section I Record of Counseling	<ul style="list-style-type: none"> Include specific examples of the behavior or performance being addressed. Use dates and times, measurable performance and specifically describe what was said or done. Include a statement that the behavior or performance was unacceptable and cannot continue. Focus on observed behavior or performance; do not use subjective or judgmental words (i.e. “bad attitude”, “lazy”). Refer to any previous discussions or counselings given for the same type of infraction, being specific as to dates and issues discussed. Explain the impact of the associate’s behavior or performance on the business (i.e. Jane’s lateness caused a disruption in our productivity and placed an unfair burden on other associates).
Section II Required Actions	<ul style="list-style-type: none"> Be specific as to what the associate needs to do differently; give examples of things to say or do. Refer the associate to the appropriate section of the Associate Guide. Use quantitative/measurable goals whenever possible. If appropriate (during initial, follow-up, or one-time counseling), work with the associate to develop action steps to improve performance. This will ensure alignment and increase the likelihood that behavior will be modified.
Section IV Deadlines	<ul style="list-style-type: none"> Use the terminology “immediate and sustained” for problems over which the associate has direct behavioral control (i.e. attendance; use of profane language). For more long-term unsatisfactory performance related issues, establish and define a time frame in which improvement or goals must be reached (a performance action plan must be provided to the associate).
Tips for Manager	<ul style="list-style-type: none"> Ensure the counseling documents are legible and all spelling and grammar is correct. Treat all associates in a consistent manner in accordance with Company policy. Counseling should be used to identify and correct an issue and to establish performance standards, not to punish the associate. Conduct all counseling sessions in a private location free from interruptions. Allow the associate to comment on the counseling. Clarify issues, but do not get drawn into a debate. Focus the conversation on the issues at hand, not on what other associates have done. Consider how you would want the counseling presented to you if you were the one being counseled. Remain calm and professional. Allow sufficient time for meeting. Make sure to have a witness present (witness must be a manager who is a level higher than the associate). Partner with HR for review and approval before incorporating language that specifies further behavior could cause additional disciplinary action or termination.

TERMINATION:

If the performance or behavior does not improve, the counseling process ends by documenting the associate's failure to correct the performance and terminating the associate's employment. Issues, situations, problems or violations of policy and procedure of a serious nature may result in fewer counseling steps up to and including termination.

The termination is a formal meeting conducted by the associate's manager with the associate. Another manager (at least one level higher than the associate) must be present as a witness.

IMPORTANT NOTE: the Regional Manager and Associate Relations **must approve** terminations in advance (this include terminations under the 90-day probationary period). Associate Relations will provide a termination letter for the Manager to deliver.

TIPS FOR TERMINATION MEETING:

- Store Manager must be present unless directed otherwise by the Regional Manager and Associate Relations.
- Manager must sign termination letter provided by Associate Relations.
- Conduct meeting in a private location that is free from interruptions
- Read the termination letter to the associate as provided.
- Collect all company property from the associate.
- Be present with the associate while they collect their personal belongings.
- Have a witness present in the termination meeting (witness must be a manager who is a level higher than the associate).
- Immediately after the associate has left the location, complete the termination paperwork (ECN/PCN).
- Communicate to other associates that this associate is no longer working for the company (do not share any details due to confidentiality). **Scripts:** "Jane is no longer working for the Company as of today." If associates ask questions as to why or what happened say, "I can't share any details because of confidentiality, but Jane is no longer working for the company as of today."

Department Contacts for Questions

Contact	Phone
HR Solutions Group	1-866-431-8484

Forms

Form	Ordering Contact	CP#
Record of Discussion Form	Central Purchasing 1-866-589-9272	3019901 3019902 (French)
Counseling Form	Central Purchasing 1-866-589-9272	3008168 LensCrafters: