

DISCIPLINARY CODE AND PROCEDURE

DEFINITION

Discipline is any corrective action initiated by Management in response to unacceptable employee behaviour or performance and which is designed to promote orderly conduct.

PURPOSE

To create acceptable standards and norms for a harmonious working environment which gives recognition of the rights of all employees and the company, and which fosters an environment of productivity and good client service and care.

OBJECTIVE

- To create a procedure whereby alleged transgressions or breaches of policies and procedures can be corrected.
- To apply an appropriate sanction for such a breach which has its intention the correcting of the unacceptable conduct or behaviour.

TYPES OF DISCIPLINARY ACTION

- Normally formal disciplinary action will only be taken where a verbal warning and/ or counselling is not appropriate.
- The company may take one of the following kinds of disciplinary action depending on the seriousness of the transgression, the disciplinary and service record of the employee, bearing in mind the intention of the sanction should largely be corrective and/or preventative in nature.
 - Written warnings
 - Final written warning
 - Dismissal with notice (or payment in lieu of notice)
 - Summary dismissal (without notice)
 - Alternatives to dismissal e.g. unpaid suspension, demotion
- Dismissal will only be appropriate where one of the following applies :-
 - The employee has failed to heed attempts to draw attention to failings
 - Where there is no reasonable prospect of a viable, ongoing employment relationship
 - The employment relationship has been irreparably damaged

- It is probable that the employee might repeat the act and cause considerable damage to the company operation, its interests or reputation, or the employees interests and welfare

DISCIPLINARY CODE

In the interests of consistency, the disciplinary action to be taken when a specific rule has been transgressed must be clearly stated. The disciplinary action should be taken with careful consideration first being given to the circumstances surrounding each case. There will be cases when the circumstances in which a transgression is committed would make the application of the prescribed sanction excessive and, consequently, substantively unfair. Each case must be measured under the prevailing circumstances.

- o The sanctions listed below will therefore be applied only as guidelines for the consistent discipline of employees and will be fairly and appropriately applied in relation to the substantive factors of prevailing circumstances.
- o Any other action of an employee which is detrimental to the employment relationship and/or clients/customers of the company may also be regarded as a transgression in terms of the disciplinary code.

Note

- o An employee may be suspended on full pay pending the disciplinary hearing, if circumstances are such that the employment relationship, or the relationship between employees or the disciplinary process could be harmed by the presence of the employee on company premises.
- o Such suspension does not form part of the disciplinary sanction and is merely implemented as temporary measure.
- o Notice of suspension will be given to the relevant employee in writing.

NO.	TRANSGRESSION	POSSIBLE SANCTION
1	Bribery, blackmail, corruption, fraud, dishonesty, theft, or removal of property from company premises, or from employees on company premises where employed or from clients premises or from company vehicles	Serious/Dismissible
2	Unauthorised possession or misappropriation of company, fellow employee or clients property	Serious/Dismissible
3	Damage to, interference with or wasting of company, employee or client property	Serious/Dismissible
4	Gross insubordination or failing to carry out instructions or neglect or improper performance of duties or wilful non-compliance with company procedures and standing instructions	Serious/Dismissible
5	Assault or any attempt to assault a person	Serious/Dismissible
6	Being under the influence, or in possession of intoxicating liquor or drugs whilst on company or client premises.	Serious/Dismissible
7	Fraudulent timekeeping records or falsely timekeeping for another employee	Serious/Dismissible
8	Failure to carry out safety precautions, dangerous horseplay. Failing to report a work accident / incident or damage/theft of company property	Serious/Dismissible
9	Sexual harassment	Serious/Dismissible
10	Unauthorised or negligent operation of equipment, wilful damage to or interference with or wasting company property, tools, goods, equipment etc	Serious/Dismissible
11	Unauthorised use of company vehicles or driving such vehicles negligently	Serious/Dismissible

12	Unauthorised absence from work of up to 3 days or more without notifying the company	Serious/Dismissible
13	Changing a medical certificate or using a false name, falsifying any document pertaining to the company	Serious/Dismissible
14	Insolence or defiance of authority, including refusal to accept management instructions	Serious/Dismissible
15	Being in possession of a firearm or dangerous weapon without written permission of the Manager	Serious/Dismissible
16	Unprotected industrial action, or inciting other employees to participate in industrial action, including but not limited to strikes and work stoppages	Serious/Dismissible
17	Disclosure or misuse of company information, including unauthorised removal of company information from company premises and/or provision of company information to competitors	Serious/Dismissible
18	Unauthorised use of company property for private or other purposes	Serious/Dismissible
19	Victimisation or discrimination	Serious/Dismissible
20	Intimidating or inciting employees to violence of any form	Serious/Dismissible
21	Making unauthorised slanderous statements about the company, its clients or suppliers in the public domain by electronic, printed or other means, including verbal abuse.	Serious/Dismissible
22	Ignoring or abusing company Conditions of employment or Standard Practices and Procedures, except as may otherwise be provided for in law	Serious/Less serious
23	Carelessness and non-compliance with company rules, regulations and procedures, including company Acceptable Internet Usage Policy	Serious/Less serious

24	Loitering in cloak rooms, locker rooms or other departments or on company premises after having logged out or on completion of work or being absent from place of work without permission	Serious/Less serious
25	Bad timekeeping, late for work, on-site work at clients or unauthorised absence from the workplace. Failing to report for extra work when agreed to do so	Serious/Less serious
36	Abusive or insulting language or signs	Serious/Less serious
27	Posting or distributing notices, posters, etc without company permission, or soliciting of any kind, including making unauthorised comments to the Press, electronic and printed	Serious/Less serious
28	Sub-standard workmanship or wilfully failing to maintain company output or work levels	Serious/Less serious