

Disciplinary Procedure

The disciplinary system has been designed to provide employees with every opportunity to explain the circumstances surrounding any breach of Company rules and is essentially intended to give employees the opportunity to conform to the standards of conduct and performance set out by the Company. Consequently, where the facts of a case warrant disciplinary action being taken against an employee, it is the intention that such action be seen as remedial rather than punitive.

Disciplinary action may be taken only when the facts of the situation warrant it. Persistent breaches of the same or similar rules may lead to progressively more serious action being taken and ultimately dismissal.

Prior to any disciplinary action, an investigation will be conducted into the circumstances of the alleged offence or problem.

Dependent upon the seriousness of the offence, disciplinary action may take one of the following forms:

- a. A verbal warning, which will be recorded within the employee's personnel file for a period of six months and confirmed to the employee in writing.
- b. A first written warning, which will be recorded within the employee's personnel file for a period of 12 months and confirmed to the employee in writing.
- c. A final written warning, which will be recorded within the employee's personnel file for a period of 12 months and confirmed to the employee in writing advising the employee that further breaches of rules could lead to dismissal.
- d. Dismissal, with or as in the cases of Gross Misconduct, without a period of notice.

For employees in their probationary period or first year of employment with the Company, only one warning may be given prior to dismissal.

The Company reserves the right to suspend employees from work whether with or without pay in appropriate circumstances.

Before any decision is made regarding a disciplinary matter, employees will normally be given:

- a. A letter setting out the complaint against them and inviting them to a disciplinary hearing explaining the possible outcome;
- b. The right to be accompanied at the hearing by a work place colleague or a Trade Union Official;
- c. The right of reply throughout the hearing to any allegations made against them.

If disciplinary action is imposed, all employees can expect to receive written confirmation detailing:

- a. The complaint and facts that the decision was based on;
- b. Rectification required;
- c. The timescales issued for rectification;
- d. The possible consequences should an employee fail to reach the desired standard in the required timescales;
- e. The right to appeal (please see separate Appeals Procedure).

Each stage of the procedure will be administered by the appropriate manager within the Company.

In extreme cases of serious Gross Misconduct (e.g. physical injury, where there may be an ongoing risk of harm), the Company reserves the right to utilise the modified statutory dismissal procedure, where summary dismissal may be applicable. The employee will receive a summary statement of the reasons why they have been dismissed. In these cases, the employee would still retain the right of appeal.

Gross Misconduct Policy

The following are examples of Gross Misconduct and as such may render employees liable to summary dismissal (i.e. dismissal without notice). This list is not exhaustive.

1. Fighting, physical assault or dangerous horseplay.
2. Failure to carry out a reasonable instruction during working hours.
3. Gross insubordination or the use of aggressive behaviour or excessive bad language on Company premises, or towards customers/colleagues, or on any occasion whilst performing job duties.
4. Theft, wilful damage or negligence that leads to damage to property belonging to the Company, its clients or suppliers or other employees.
5. Fraud or any other offence committed against the Company or customers, which could be a breach of the law of the land.
6. Drunkenness or drug abuse.
7. Gross immorality or sexual harassment.
8. Breach of safety rules and/or actions that seriously endanger the health or safety of another person whilst at work.
9. Divulging to any persons any confidential information relating to the Company's business processes or clients.
10. Wilful or reckless overcharging and undercharging of customers.
11. Deliberate falsification of records.
12. Serious breach of payment procedures or purchase rules.
13. Unauthorised access to or use of Company correspondence, computer data or manual files.
14. Unlawful race, sex or disability discrimination against fellow employees or customers.
15. Gross breach of the Company Internet and electronic mail policy.

