

Policy & Procedure: Disciplinary and Grievance

1. Disciplinary code

It is specifically recorded that all legal rights are specifically reserved even if not referred to herein.

1.1. Purpose and Objective

The main purpose of the employer is to advance the interests of the company whilst having due regard to the interest of all stakeholders.

The main purpose of this Disciplinary Code is to fulfill the employer's objectives which are:

- 1.1.1.1. To engender a culture of care and mutual respect for oneself, fellow employees, work, teamwork, customers and other persons associated with the company and the environment.
- 1.1.1.2. To ensure that all employees are treated in a fair and consistent manner within the general framework of the law, the principles of fairness, natural justice and accepted fair employment practices.
- 1.1.1.3. To give effect to applicable legislation affecting the employment relationship.
- 1.1.1.4. To provide a framework within which the employer and the employees can work together to maintain acceptable levels of behavior and conduct.
- 1.1.1.5. To promote the effective resolution of all disputes.

1.2. Standards of performance and behaviour

Management set acceptable standards of performance and behavior from time to time and must be able to trust and have confidence in each and every employee to achieve them.

Apart from exceptional circumstances, the employer will correct poor work performance and minor unacceptable behavior through counseling and warnings to ensure that each employee knows and understands what is expected from the employer.

1.3. Termination of employment

The employer reserves all rights at law to terminate employment for any cause recognized by law as sufficient, including, but not limited to, a reason based on the operational requirements of the undertaking.

Acting in the best interest of the undertaking, and after following a fair procedure, the employer will be forced to terminate employment if satisfied on clear and convincing evidence that there is a fair reason for doing so related to the conduct or performance or capacity of the employee. A fair reason will usually be present if there has been a breach of "good faith" (in the sense of a breach of the obligation of "trust and confidence") , or that a proper employment relationship has been destroyed or seriously damaged, or that it is in the best interest of the undertaking to do so.

Where the reason for termination is related to serious or gross misconduct (in the sense of a fundamental breach of the employment contract) no payment will be made to an employee. In all other situations, the employer will consider paying to an employee an amount instead of reasonable notice and a severance benefit when terminating employment.

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1.4. Schedule of Gross Misconduct & Unacceptable Behaviour

Gross misconduct	Additional unacceptable behaviour
<ul style="list-style-type: none"> • Conduct endangering the lives, health and safety of anyone, including but not limited to any kinds of serious harassment. • Willful damage to property. • Dishonesty including, but not limited to, theft; unauthorized possession of property; falsification of documents including, but not limited to employment applications and business records; accepting secret commissions or unauthorized payments. • Misuse of drugs, alcohol and other habit forming substances. • Violent, reckless or negligent behavior. • Off-duty illegal or unlawful misconduct that adversely impacts the job. • Concerted activity contrary to any contract or the law, such as unprotected coercive industrial action of any kind, including, but not limited to, striking, picketing, demonstrating, boycotting or protesting. 	<ul style="list-style-type: none"> • Conduct that is obscene, immoral or offensive, including but not limited to sexual harassment and the use of racist or foul language or rudeness to anyone, including fellow employees, clients, suppliers and other persons having any dealings with the employer. • Disloyalty. • Persistent absenteeism without leave or tardiness. • Insubordination. • Sleeping on the job. • Off-duty conduct that adversely impacts on the job. • Neglecting to discharge duties. • Failing to devote appropriate time and attention to duties. • Being declared provisionally or finally insolvent or effecting or attempting to affect a general compromise with some or all creditors. • Unauthorized possession of any firearm or dangerous weapon.
<p><i>The above is a guideline and should not be regarded as comprehensive. It is accepted that some rules and standards may be so well established and known that it is not necessary to communicate them.</i></p>	

2. Grievance Policy

2.1. Policy

It is the policy of the employer:

- 2.1.1. That an employee/s who lodges a grievance, will not be prejudiced in his/her employment with the employer;
- 2.1.2. That all grievances should be resolved as expeditiously as is practically possible.

2.2. Purpose and objective

- 2.2.1. The purpose and objective of this grievance policy is to allow an employee or employees to bring to the attention of the employer any dissatisfaction or feeling of injustice which may exist in respect of the workplace.
- 2.2.2. The employer will attempt to resolve the grievance in a manner, which is acceptable to the employee(s) concerned and the employer.
- 2.2.3. A grievance pertains to any dissatisfaction with regard to matters, which are directly related to the employment relationship between the parties.
- 2.2.4. This grievance policy and procedure shall not be used to negotiate new or changes to conditions of employment.