

THE DISCIPLINARY PROCEDURE

The general principles which apply to the Disciplinary Procedure include:

- ◆ Informal Resolution
- ◆ Investigation.
- ◆ Notification of allegations: This is to be set out in writing and given the opportunity to be heard
- ◆ Representation: The employee has the right to be accompanied by a representative to an formal meeting or disciplinary hearing
- ◆ First Offence: The maximum disciplinary action of dismissal should not be imposed.
- ◆ Suspension: To place an employee on suspension does not necessary mean that the individual is culpable
- ◆ Equality and Fairness
- ◆ Confidentiality
- ◆ Appeals against sanctions

Levels of Disciplinary Sanctions

The process includes a three phase approach.

- ◆ Written Warning: Employees are given a warning letter for any minor offence or misconduct.
- ◆ Final Written Warning: This warning is given after the employee commits a second offence
- ◆ Disciplinary Hearing /or Dismissal: This stage is reached once there are grounds that act of misconduct has been committed during the existing warning period, which may warrant the dismissal of the employee.

Summary Dismissal

This applies in the instance where an act of gross misconduct has been committed. The dismissal takes immediate effect and there is no notice period or pay in lieu of notice given as a result of the dismissal.

Features of an effective Disciplinary Procedure

- ◆ Minimizing of the time which elapses between the act of misconduct and the intended instituting of discipline
- ◆ Advance warning to proceed any intention of disciplinary action
- ◆ Consistency in applying the disciplinary procedure
- ◆ Fairness and impartiality when dispensing discipline
- ◆ Private administering of discipline