

ANNEXURE “C”

DISCIPLINARY PROCEDURE

Management is responsible for maintaining discipline and will do so in terms of the Disciplinary Code and this Disciplinary Procedure. Apart from exceptional circumstances, and subject to any relevant laws, management will enforce all rules and standards in the following manner:

Step 1

Upon receipt of any complaint from anyone or knowledge of any incident involving an employee, management will cause a thorough preliminary investigation to be conducted by an appropriate person. On receipt of a report, not necessarily in writing and where applicable, including signed statements by persons concerned in the matter, management will determine whether there are reasonable grounds to continue, given the need to take corrective measures, including but not limited to, termination of employment.

Step 2

If it is decided to proceed, management will:

1. appoint and specifically delegate authority to a manager (the "responsible person") to take a final decision in the matter;
2. require the responsible person to arrange for the preparation of allegations;
3. require the responsible person to arrange a place, date and time for a hearing, affording the employee the opportunity to respond to the allegations, bearing in mind the need for a reasonable time for preparation by the employee concerned;
4. require the responsible person to inform the employee in a written notice of the hearing
 - 4.1 of the allegations, in a form and language reasonably understandable to the employee;
 - 4.2 that the matter is serious and may result in termination of employment;
 - 4.3 of the place, date and time when the employee will be allowed the opportunity to
 - 4.3.1 state a case in response to the allegations;
 - 4.3.2 produce any relevant information;
 - 4.3.3 call witnesses; and
 - 4.3.4 be assisted by a fellow employee

- 4.4 that the investigation will proceed in the absence of the employee if there is a refusal or failure to use that opportunity for the intended purpose;
5. require the responsible person to ensure that the employee concerned is allowed, in the manner described above, to state a case in response to the allegations and to call witnesses for that purpose.

Step 3

At the conclusion of Step 2 the responsible person will adjourn the hearing to consider the case and decide provisionally whether there is sufficient clear and convincing evidence that might require measures to be taken to correct the employee's behaviour or termination of employment.

Step 4

If the responsible person decides to proceed, the employee will be allowed to produce any relevant information that might affect any final decision regarding continued employment, including but not limited to, personal and mitigating circumstances and past record. The responsible person will then adjourn the hearing.

Step 5

After the conclusion of Step 4, the responsible person will consider all the relevant circumstances. The responsible person will then decide on the appropriate course of disciplinary action.

Step 6

The responsible person will consider which disciplinary action, short of dismissal needs to be taken, such as a written warning or a final written warning. If the responsible person decides that it is necessary to terminate employment because of the employee's gross or serious misconduct, employment will be terminated summarily.

Step 7

The responsible person must ensure that a notice of termination of employment and a certificate of service are prepared, signed and delivered to the employee concerned.

Please sign below to indicate you have read and understand the terms of this Disciplinary Procedure and undertake to abide by it.

Signed at _____ this _____ day of _____ 20...

Signature: _____

Name: _____