Initiative for Social Action Foundation (ISAF)

ISAF ORGANIZATIONAL MANAGEMENT

Employee Disciplinary Procedures

Initiative for Social Action Foundation (ISAF) wishes to ensure that any complaints about unsatisfactory work or conduct are resolved as quickly and with as much fairness as possible and to this end have established a Disciplinary Procedure.

This procedure applies to all employees. It is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. Should the standards of conduct, attendance and/or job performance of an employee fall below the expectations of Initiative for Social Action Foundation (ISAF) this procedure will be used in an attempt to effect improvement.

Responsibilities

It is the responsibility of the Management of Initiative for Social Action Foundation (ISAF) to explain clearly all requirements regarding standards of conduct, attendance and job performance and adherence to policy and to ensure that these are updated and issued to all employees.

Principles

At any stage in this procedure the employee will be informed by their supervisor of the nature of the complaint against her/him and will be given the opportunity to make her/his case before any decision is made. The notice of any meeting under this procedure must tell the employee the nature of the complaint being made.

No disciplinary action will be taken against an employee until the case has been fully investigated. It may prove necessary to place an employee on suspension until such investigations are carried out. Suspension will be notified to the employee in writing and will not normally exceed a period of 10 working days without review. In exceptional circumstances the period of suspension may be extended to allow full investigation to take place. Any such extension will also be notified to the employee in writing. During such a suspension the employee will be paid at a rate equivalent to her/his contractual earnings.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty will normally be summary dismissal, i.e. dismissal without notice or wages in lieu of notice.

Any employee will have the right of appeal against any disciplinary penalty imposed.

In appropriate cases (e.g. poor performance), an employee will be advised in writing of the time allowed for improvement and when and how reviews will take

place. The employee will have the right of appeal against the time allowed for improvement.

The procedure may be initiated at any of the stages 1-4, depending on the seriousness of the employee's alleged misconduct.

Informal Procedure

It is Initiative for Social Action Foundation (ISAF) 's aim to encourage acceptable standards of conduct and performance. Every effort will be made to deal with minor problems through informal discussion and supervision in order to avoid the need to implement the formal procedure.

The supervisor will arrange for provision of support, practical assistance and/or training as appropriate to ensure that acceptable standards of work performance and behavior are met.

When the informal procedure outlined fails, or the matter is more serious, the following formal procedure will be used.

Formal Procedure

Stage 1 - Verbal Warning

If performance or conduct is not considered satisfactory, and where (if appropriate) the informal procedure has established this to be within the employee's control, the employee will be interviewed by the line manager and given the opportunity to explain her/his actions.

If the explanation is not satisfactory, a formal verbal warning will be given and recorded in the employee's personal file. The record must identify shortcomings, the standard of conduct and/or performance required and give a specific time in which improvement must be made. It must be conveyed verbally and confirmed in writing.

The employee will be informed in writing of the right of appeal.

Stage 2 - First Written Warning

If there is no improvement in the standard of conduct/performance following a review within the period specified for Stage 1, or where the seriousness of the alleged offence warrants immediate recourse to this stage of the procedure, the employee will be interviewed by the designated person and given the opportunity to explain her/his actions.

If the explanation is not satisfactory, a First Written Warning will be issued. The First Written Warning should fulfill the following conditions:

- It should state clearly the nature of the offence

- If appropriate, it should state that repetition of the offence or commission of further offences may lead to further disciplinary action

- It should specify any agreed action required of both parties, including time-scales for improvement and methods of reviewing progress, and

- The employee will be informed in writing of the right of appeal.

The warning will remain confidential to the employee, any representative of the employee, and the Personnel Manager. It will be filed in the employee's personal file.

Stage 3 - Final Written Warning

If there is no improvement in the standard of conduct/performance following a review at the end of the period specified for Stage 2, or where the seriousness of the alleged offence warrants immediate recourse to this stage of the procedure, the employee will be interviewed by the designated people and given the opportunity to explain her/his actions.

If the explanation is not satisfactory, a final written warning will be issued. The final written warning should fulfill the following conditions:

- It should state clearly the nature of the offence

- If appropriate, it should state that repetition of the offence or commission of further offences may lead to further disciplinary action

- It should outline any agreed action required of both parties, including timescales for improvement and methods of reviewing progress, and

- It should make clear that, if there is no or insufficient improvement in performance or conduct after the period specified, it may result in dismissal.

- The employee will be informed in writing of the right of appeal.

The warning will remain confidential to the employee, any representative of the employee, the Director and the Chair of the Initiative for Social Action Foundation (ISAF). It will be filed in the employee's personal file.

Stage 4 - Dismissal

If there is still no sustained improvement in the standard of conduct/performance whilst a final written warning remains live. Or if any new offence occurs whilst a final written warning remains live, or if there is any allegation of gross misconduct, the employee will be interviewed by the designated people.

If an acceptable explanation is not forthcoming, dismissal will normally result, with or without notice as appropriate.

The employee will be provided, as soon as is reasonably practicable, but within five working days, with written reasons for dismissal, the date on which employment will terminate and the right of appeal.

In cases of gross misconduct dismissal may be without notice or payment in lieu of notice.

Types of Offences

The following are examples of the various categories of misconduct and/or poor performance, but the lists are not exhaustive.

Misconduct - action taken at Stage 1 and/or Stage 2 of procedure

a) Poor time-keeping (repeated lateness or early leaving)

b) Failure to notify promptly reasons for absence in accordance with procedures

c) Smoking in designated No Smoking areas

Serious Misconduct - action taken at Stage 3 of procedure

a) breach of confidence not amounting to gross misconduct

b) Unauthorized absence

c) Willful breach of Health and Safety Regulations

Gross Misconduct - action taken at Stage 4 of procedure

a) Theft from <employer name> or its employees or clients

b) Fighting, threatening or assaulting another employee or a client

c) Incapacity for work due to being under the influence of alcohol or illegal drugs

d) Fraudulent wage claims or falsification of records

e) Gross insubordination

f) Harassment of another employee, volunteer or client of Initiative for Social Action Foundation (ISAF) whether of a sexual, racial or otherwise offensive nature

g) Breach of confidence

h) Willful destruction of Initiative for Social Action Foundation (ISAF) property and/ or equipment

i) Willful breach of Health and Safety Regulations

j) Willful breach of legislation or the Initiative for Social Action Foundation (ISAF) 's policies on equal opportunities, sex, race and disability discrimination.

Duration of Warnings

Stage 1 - Verbal Warning - Will remain on the employees personal record for 1 weeks

Stage 2 - First Written Warning - Will remain on the employees personal record for 2 weeks

Stage 3 - Final Written Warning - Will remain on the employees' personal record for 4 weeks

Appeals

An employee has the right of appeal against any aspect of disciplinary action and penalty. The employee will be advised of the right of appeal and the right to representation at the appeal. Details of how and when to exercise this right of appeal will be given when the warning is issued.

Any appeal should be made in writing to the Personnel Manager within 7 working days of receiving the decision against which the employee is appealing.

The Personnel Manager will convene an Appeal Board hearing within 20 working days of receipt of the letter. The Appeal Board will consist of three individuals nominated by the Personnel Manager. No individual involved in the original disciplinary decision may be involved in the Appeal Board hearing, except to give evidence.

The following information will be provided to the appellant in writing:

- The venue where the hearing will take place

- The time and date of the hearing

- The right to representation, and

- The names of those hearing the appeal and any others expected to be present.

Time-Scales and Notice

Employees have the right to 5 working days' notice in writing of any meeting called under this procedure.

Any meeting under this procedure must take place as soon as possible, but within 20 working days of the date of the first notice.

Any Appeal Board hearing will take place within 20 working days of receipt of the appeal being lodged.