

CONTACT DESIGN LIMITED

DISCIPLINARY POLICY

1. Purpose and Scope

From time to time, an employee's conduct may fall below required standards. This policy aims to help and encourage staff to attain the highest standards of service and to ensure that when a member of staff performs poorly, breaches policy and/or behaves in an improper, or unprofessional manner, disciplinary action, including dismissal, is carried out fairly, consistently and takes account of all relevant facts. The aim is to ensure the consistent and fair treatment of staff.

2. Principles

No disciplinary action will be taken against an employee until the case has been fully investigated

At every stage in the Procedure, the employee will be advised of the nature of the complaint against him/her and will be given the opportunity to state his/her case before any decision is made

At all stages the employee will be informed of his/her right to be accompanied by a Union Representative or work colleague during the disciplinary interview if he/she so wishes.

No employee will be dismissed for a first breach of discipline except in cases of Gross Misconduct, when the penalty will be dismissal without notice

An employee will have the right to appeal against any disciplinary penalty imposed

The Procedure may be implemented at any stage if the employee's alleged misconduct warrants such action. The duration of warnings remaining on file at each stage will be as indicated in this Procedure for all disciplinary matters including persistent sickness

3. Informal Approaches

Managers will get the best results if they deal with issues about conduct informally. In the majority of cases, providing the right word at the right time, in the appropriate manner, is all that is required to remedy the situation, and therefore informal discussions between manager and the employee would be enough.

It is hoped that most matters can be resolved speedily and effectively at this stage of the Procedure. If an employee's conduct does not improve

sufficiently however after informal approaches and in more serious cases, the Formal Procedure will be initiated.

4. Procedure

When a disciplinary issue arises then the supervisor should investigate the situation thoroughly and gather all relevant facts promptly and decide what action should be taken. The employee should be notified in writing of the impending disciplinary action.

A disciplinary interview will be conducted by the immediate supervisor / manager.

The following is a non-exhaustive list of offences felt to be typical of those that will invoke the disciplinary process:-

- Absenteeism
- Poor time keeping
- Unsatisfactory work performance
- Failure to carry out specific instructions
- Smoking on company premises
- An act of disrespect to a supervisor or the Directors

Except in cases considered to be Gross Misconduct, the disciplinary process consists of a number of warnings designed to give the member of staff a clear statement of the offence and how they are required to change.

- The initial warning will normally be verbal providing a clear statement of the offence and indicating the improvement required within a set time frame. This warning will be recorded and the expiry of the timeframe noted.
- A written warning will be issued when an improvement has not occurred before the review date, or, if there is a recurrence of the offence, or, a subsequent breach of policy, or, as an initial warning if the offence is deemed serious.
- A failure to comply with the required change in conduct or behaviour within the required time frame will result in a final written warning being issued. **If there is still no improvement the decision will be taken to dismiss.**

Warnings will cease to be “live” following a specified period of satisfactory conduct (see below) and should normally be disregarded for future disciplinary purposes. There may, however, be occasions where an employee’s conduct lapses once the warning is no longer in force. Where a pattern emerges and there is evidence of abuse, the employee’s disciplinary record should be borne in mind in deciding the entry level for any further disciplinary action and therefore the length of time the warning is in force.

- Verbal warnings will be “live” for 6 months.

- First written warning will be “live” for 9 months.
- Final written warning will be “live” for 12 months.

5. Gross Misconduct

Gross misconduct is generally regarded as misconduct serious enough to destroy the employment contract between the employer and employee and make the working relationship impossible. **The penalty for Gross Misconduct is dismissal without notice (Summary Dismissal)**

Examples of offences which may be regarded as Gross Misconduct include: theft; illegal acts; violent behaviour; assault upon a member of staff or child; concealment of incorrect and unsatisfactory work; continued misconduct or failure to reach the level of performance after previous warnings; fraud; serious breaches of health & safety regulations; refusal to carry out reasonable instruction, racial/sexual harassment; gross insubordination; being under the influence of alcohol or drugs; possession or use of classified illegal drugs; misuse of company property.

This list is by no means exhaustive or exclusive but merely provides examples of conduct or behaviour, which will be regarded as Gross Misconduct.

The authority to dismiss rests solely with the company Directors.

In the case of dismissal, the member of staff will be provided as soon as possible, with a written reason for dismissal, and the date on which employment will terminate.

A member of staff may at the discretion of the Directors be entitled to payment in lieu of notice expect in a case of Gross Misconduct, where there will be no notice or payment in lieu.

6. Sickness and Absence

As the company wishes to be as flexible with regard to it's employees. The company is sympathetic to issues relating to genuine sickness, family and bereavement issues, however, there is an absence policy in place with will work alongside this discipline policy for incidents of absence which require disciplinary action to be taken.

7. Right of Appeal

- An employee has the right of appeal against any decision made during the Formal Procedure. Any appeal must be submitted in writing to the Supervisor who took the disciplinary decision. This will be within five days of receipt of the decision and should explain in detail the grounds of the appeal.
- The Company Directors will endeavour to conduct the appeal within a reasonable time scale and as a guideline every attempt will be made to

conduct the appeal within two weeks. The Directors' decision will be final.

- The employee will be informed that they may be accompanied by a Union representative or Work Colleague.
- A reasonable notice of an appeal hearing will be given to the employee in order that they may prepare properly.
- At the appeal, any disciplinary penalty imposed will be reviewed and could result in the level of penalty decreasing or remaining the same.

