

POLICY: DISCIPLINARY AND GRIEVANCE CODE

APPROVED BY: CBCHOA CHAIRMAN: _____
EFFECTIVE DATE: _____

DISCIPLINARY CODE

Introduction

The purpose of this disciplinary code and disciplinary procedure is necessary to ensure that all employees are treated in a fair and consistent manner, when disciplinary action is required. It is however, neither rigid nor inflexible and management may at its discretion, implement less or more severe disciplinary action as and when required.

It is the responsibility of management to maintain discipline at the Company and the code recognises the right of management to initiate disciplinary action against any employee where circumstances so warrant.

Infringements, offences and penalties

The disciplinary procedure will be initiated against any employee who contravenes the disciplinary code, or who acts against the interests of the Company or who commits any social, criminal or other offence. The disciplinary penalties may include a verbal warning, a written warning, a final written warning and/or dismissal. Punitive suspension and/or demotion may only be given as alternative to dismissal.

Cumulative nature of disciplinary action

The Company supports the tenets of the new Labour Relations Act 66/1995 and to this end implements a system of progressive discipline.

This code makes provision for progressive disciplinary action in each category of the offence. The disciplinary action prescribed by the code may be deviated from where justified by the particular circumstances of the case. Such action may be more severe than the prescribed guideline where aggravating circumstances exist or less severe where mitigating circumstances exist. In certain circumstances and in the case of certain offences, a dismissal sanction may be taken for a first offence.

Formal disciplinary action is defined as any action where a reprimand is given to an Employee in a formal manner and where a written record of such action is kept on the personal file of the Employee concerned.

It should be noted that in most cases the Superior will have discussed the relevant misdemeanour with the employee concerned and have given an informal verbal warning before administering formal discipline as detailed below. However in certain circumstances, a transgression of this code may be deemed sufficiently serious to carry a written warning or even a dismissal for the first offence. It is therefore intended to be a guide for both management and employees, listing the more common misdemeanours and the appropriate action to be taken. The list is not all-embracing and the Company reserves the right to discipline an employee for good cause even though the specific offence may not be stated in this list. Each case will be treated on its merits and discretion exercised so as to ensure discipline is applied in a fair and consistent manner.

This code forms part of the employee's Contract of Employment.

Disciplinary Procedures

There are basic principles which govern the way in which potential disciplinary matters are to be dealt with.

Procedural Fairness

A fair procedure must be followed to ensure that both the Company's and the employee's interests are safe guarded.

Notification:

- Schedule the disciplinary enquiry, allowing at least 3 written days notice as to allow enough time for the employee to prepare his / her case.
- The nature of the offence must be stated in the notice
- The right to call witnesses and have a representative present must be made clear
- If the review will be held in a language where the employee may require an interpreter, this should be offered
- Details of the venue, time and date of the disciplinary enquiry must be stated

The route that this procedure should follow is:

- The Estate Manager will advise the employee of the charges against him/her as per notification above. In the case of a charge against the Estate Manager then the CBC Chairman will advise him of the charges against him/her.
- Ensure that the employee is aware and understands his / her rights.
- The employee should be allowed to state his / her case in response to the allegations made against him / her.
- On request, the employee should be allowed representation, either from fellow employees or a shop steward from within the constituency.
- After the enquiry the Company should advise the employee of the decision taken, the reason for the decision and remind him of his right to appeal and to refer the matter to the Bargaining Council or CCMA.
- Estate Manager must keep minutes in the employees' file of each hearing.

Incapacity

In addition to these requirements additional steps prior to the institution of a disciplinary enquiry, need to be in place in the event of incapacity to ensure that the procedural fairness requirements of the LRA (Labour Relations Act) are met.

Incapacity: poor performance

- Ensure that the reasons for poor performance have been properly investigated.
- Ensure that every effort has been made to assist the employee to improve the standard of his performance. Introduce a "Performance Improvement Plan" if necessary.

Incapacity: ill health

- Investigate the extent of the incapacity and prognosis for recovery.
- Consider the period of absence and seriousness of the illness.

Investigate the possibility of relocating the employee to another department or job, taking into account the employee's ability to perform at the required levels.

Absence without leave

If an employee is absent without authorisation for 5 working days, he/she will be considered to have absconded.

The process to be followed is as follows:

- The Estate Manager is to attempt to make contact with the employee requesting that he/she contact the office before a certain date, and inform him/her that failure to do so will result in our assumption that he/she has absconded.
- At the expiry of three days, the Estate Manager will lay a formal complaint of desertion. The employee will be advised of this via a registered letter advising the employee of a disciplinary enquiry to be held for unauthorised absence and that should he fail to contact the office or report within a specified date, the enquiry would be held in his absence which may lead to his dismissal.

- Should the employee not respond, on the sixth day, the Estate Manager will advise via a registered letter of the disciplinary enquiry, providing all the relevant information.
- A disciplinary enquiry is to be convened and a review or appeal will only apply after the dismissal if appropriate.

Substantive Fairness

Substantive fairness deals with the nature and extent of the offence. It is incumbent on the company to ensure the following has been considered before a decision is made as to what sanction is applicable.

Misconduct

- Was there a breach of a rule and if so, was the rule valid and reasonable?
- Was the employee aware, or could be reasonably expected to be aware of the rule?
- Has the company consistently applied the rule?
- If the breach of the rule results in dismissal then was the dismissal the appropriate sanction considering :
 - The personal circumstances of the employee
 - The nature of the job
 - The circumstances surrounding the breach of the rules
 - Whether the action taken is consistent with previous cases

Incapacity: Poor Performance

- Did the employee fail to meet the required standards?
- Was the employee aware, or could be reasonably expected to be aware, of the required work standards?
- Are the work standards fair and legitimate?
- What was the degree of sub-standard performance?
- Was the employee given a fair opportunity to meet the required standards?
- If the poor performance results in dismissal then was dismissal the appropriate sanction considering :
 - The extent of training given to the employee.
 - The availability of an alternative position/demotion.
 - Whether the action taken is consistent with previous cases.

Incapacity: ill health or injury

- Investigate the extent of incapacity and prognosis for recovery.
- The degree of incapacity is relevant to the fairness of any dismissal.
- The cause of the incapacity may also be relevant. In the case of certain kinds of incapacity e.g. alcoholism or drug abuse, counselling and rehabilitation may be appropriate steps for an Employer to consider.
- Particular consideration should be given to employees who are injured at work or who are incapacitated by work-related illness. The duty of the Employer to accommodate the incapacitated employee is more onerous in these circumstances.

In determining whether a dismissal arising from ill health or injury is or may be unfair, the Company should consider:

- Whether or not the employee is capable of performing the work.
- If the employee is not capable:
 - The extent to which the employee is able to perform the work.
 - The extent to which the employee's work circumstances might be adapted to accommodate disability, or, where this is not possible, the extent to which the employee's duties might be adapted.
 - The availability of any suitable alternative work
- If the incapacity is deemed to be permanent then investigate the availability of an alternative position.

PROCEDURE TO DEAL WITH WARNINGS IS AS FOLLOWS:

Verbal Warning

May be given in cases where, in the opinion of the immediate Supervisor or Manager, the misconduct is of a relatively minor nature not warranting a written warning. Such reprimands are to be given in private and need not be reflected in the employee's personal file but should be recorded nevertheless in a diary or note book.

Written Warning

All written warnings must be completed in duplicate, one copy to the employee, the original to the employee's personal file.

Depending on the seriousness of the misconduct, the Supervisor or Estate Manager or CBCHOA Chairman may convene a disciplinary enquiry to establish the facts of the alleged misconduct.

After the enquiry, depending on the seriousness of the case, the employee may be given a written warning which will be recorded on a standard form and placed on the employee's personal file. The record will be kept in the personal file for six (6) months. After the expiry of the six months period, the warning will no longer be valid, but may be kept on file for future reference. It is advisable to involve shop stewards at the earliest opportunity to obtain co-operation in addressing the misconduct.

Final Written Warning

All Final written warnings must be completed in duplicate, one copy to the employee, the original to the employee's personal file.

In serious cases of breaches of the disciplinary code or repeated misconduct a final written warning will be given by the manager. The superior will convene a formal enquiry to establish the facts of the alleged misconduct. However, it will be clearly indicated on the warning form that it is a final warning and the employee will be advised that any further misconduct will result in his / her dismissal. The final written warning will be valid for up to twelve (12) months.

Signing of Written / Final written Warnings

Should an employee refuse to sign a written warning form, that employee will be advised verbally of the contents of the warning in the presence of the representative, witness and interpreter if necessary. Refusal to sign should be noted and witnessed with two signatures and such refusal does not make the warning any less valid.

PROCEDURE FOR DEALING WITH DISMISSAL WILL BE AS FOLLOWS:

In all cases where dismissal is contemplated an enquiry must be held. The employee may be suspended on full pay pending the enquiry, which should be held within forty eight (48) hours or as soon as practically possible.

Such an enquiry must be presided over by the Estate Manager or a Chairman who must convene it and it must be attended by the following persons:

- Complainant
- Interpreter (if required)
- Employee Concerned
- Employee Representative - If requested a shop steward or colleague from the same bargaining unit, shift and Department.
- Witnesses (During the giving of evidence only)

Disciplinary enquiries involving gross misconduct and appeal hearings should be taped where possible. At the conclusion of the enquiry, should a decision to terminate the services of the employee be taken, a termination of employment report will be completed, giving a brief outline of the facts and decision reached for record purposes. The minutes of the disciplinary enquiry should be signed by the chairman.

If the employee feels unfairly treated he / she may submit his / her appeal, stating in writing the grounds for appeal through the Chairman of CBCHOA.

SANCTION GUIDELINES

General

Once a disciplinary enquiry has been held and guilt has been established by the chairperson, the next step of the procedure is the penalty phase where a sanction is imposed. This sanction needs to be commensurate with the

extent and nature of the offence i.o.w. the nature and seriousness of the offence and the circumstances under which the offence was committed. By putting it simply "The punishment must fit the crime".

Penalty imposed for similar offences and written warnings issued that have not yet lapsed may also be taken into account. However, it is important to note that each case is different and any decision as to what sanction to impose must take into account the relative merits of the case. Evidence in mitigation and aggravation should be carefully considered and the appropriate sanction applied.

It is also important to remember that these guidelines are not a definitive list of all possible offenses. For example, smoking in a non-smoking area would fall under the broad heading "Disregard of Department or Company Rules". Both the chairperson and the complainant bringing the charges must therefore ensure that the charge is correctly phrased or risk the case being lost on a technicality.

Fair Reasons for Disciplinary Action

Under normal conditions there would generally be only two fair reasons for dismissal and therefore, for any form of disciplinary action. These would be misconduct and incapacity.

A brief explanation of each is given below and more detailed guidelines are given in the Labour Relations Act - Schedule 8 - Code of Good Practice: Dismissal.

Misconduct

It is defined as any action or behaviour on the part of the employee that has contravened a rule or standard regulating conduct in or of relevance to, the workplace.

Gross Misconduct

It would be any offence as detailed under misconduct but of a nature so serious that summary dismissal would be appropriate. Such offences would include assault, theft, and sabotage amongst others.

Incapacity: Poor Work Performance

Would qualify for disciplinary action should the employee be fully trained, have all the necessary tools and equipment and be able to perform his / her duties adequately but still fail to perform to the required standard.

Incapacity: Ill Health

Would qualify for action, should it be determined after a full investigation that the employee is permanently unable to perform the duties for which he / she was employed. Before such a decision is made the Company is obliged to investigate whether or not another position exists that the employee can perform adequately. It is important to note that the duty on the employer to accommodate employees incapacitated by work-related illness is more onerous in these circumstances.

Summary Dismissal

The meaning of summary dismissal is **not** as something that the employee is dismissed on the spot for a serious transgression and departs instantly. What it in fact means is that the employee's service is **terminated without notice** i.e. the contract of employment is ended "summarily" without the requirements to work the usual notice period and without payment in lieu of notice.

Summary dismissal is usually applied in cases where common law rights have been infringed and the employment relationship has irretrievably broken down. Examples of the transgressions that fall into this category would be Theft, Assault, Fraud, etc.

The requirements for both procedural and substantive fairness still apply and a normal investigation / enquiry must still be held.

Suspension Pending Investigation

In certain instances keeping the accused employee on the premises may be detrimental to the smooth running of the business or if it is suspected the employee may commit the same offence again. This is especially true where theft, assault, fraud and the like are involved.

There may be also some suspicions that witness intimidation could occur. Under these circumstances it is advisable to remove the accused employee from the scene until such time as a hearing can be convened or that

the internal or external investigation is complete. This is perfectly acceptable in the eyes of the law provided that the employee is suspended on full pay.

As is normal, the requirements for both procedural and substantive fairness still apply and a normal investigation / inquiry must be held.

External Representation and Witnesses

Any disciplinary measures taken by the Company are domestic in nature and specifically exclude the involvement or interference of any third party.

- An Employee is entitled to representation, provided that such a representative is employed by the Company. Where disciplinary action is contemplated against the Estate Manager (Management) then he would be allowed to use a member on the Estate however if the member is an Attorney on the Estate, then he must make application to CBCHOA Chairman within 5 working days prior to the enquiry.
- Where disciplinary action is contemplated against the employee, who is a shop steward, the Company will not institute such action without informing the representative trade union concerned.
- Evidence from external witnesses may be presented, provided that witnesses are prepared to present themselves at the disciplinary enquiry. An external witness may only be called to testify with the consent of the chairperson of the enquiry and then only if the chairperson believes that failure to call the witness may prejudice the accused or the Company.

SCHEDULE OF BREACHES OF DISCIPLINE AND SANCTION

These sanctions are intended to be used a guideline only and is not exhaustive. Each case will be decided on an individual basis, taking into account the merits without losing sight of consistency.

Abbreviations /W = Verbal Warning W/W = written warning F/WW = Final Written Warning Dis. = Dismissal

No	Offences	First Offence	Second Offence	Third Offence
GRADE ONE OFFENCES				
1	Disorderly Behavior on premises i.e. horseplay	W/W	F/WW	Dis.
2	Reporting late for duty / Leaving early from duty	W/W	F/WW	Dis.
3	Failure to hand in documentation on completion of a particular task	W/W	F/WW	Dis.
4	Incorrect completion of documentation	W/W	F/WW	Dis.
5	Failure to produce medical certificates after being absent for more than two days as a result of illness	W/W	F/WW	Dis.
6	Negligent loss or damage to the employer's property or products, where such carelessness or negligent causes the employers property / products to become damaged or lost	W/W	F/WW	Dis.
7	Departure from a workstation without authority	W/W	F/WW	Dis.
8	Failure to clock / swipe in or out/ poor time keeping	W/W	F/WW	Dis.
9	Improper dress code	W/W	F/WW	Dis.
10	Failure to comply with general hygiene requirements	W/W	F/WW	Dis.
11	Poor quality of work and not working to required standards	W/W	F/WW	Dis.
12	Carelessness - Loafing / Negligence	W/W	F/WW	Dis.
13	Inefficiency / unsatisfactory work performance, failure to carry out work to the required standards	W/W	F/WW	Dis.
14	Failure to report for overtime, having agreed to work such overtime, without prior notification to Superior	W/W	F/WW	Dis.
15	Failure to complete all required information on daily log sheets	W/W	F/WW	Dis.
16	Leaving company premises without permission	W/W	F/WW	Dis.
17	Doing private work in company	W/W	F/WW	Dis.
18	Accessing pornographic or discriminatory material	W/W	F/WW	Dis.
19	Changing the configuration of computer hardware or software without proper authorization	W/W	F/WW	Dis.
20	Unwarranted or unauthorised absence from place of work without good reason	W/W	F/WW	Dis.

21	Contracting for the development of computer software or related services without proper authorization	W/W	F/WW	Dis.
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No	Offences	First Offence	Second Offence
GRADE TWO OFFENCES			
1	Negligent loss or damage to employer's property / product.	F/WW	Dis.
2	Misuse of employer's property or using employer's property for purposes other than that for which it was intended, without authority from superior.	F/WW	Dis.
3	Bringing unauthorized visitors onto employer's premises.	F/WW	Dis.
4	Insulting or swearing at employees or using words expressing or showing hatred, intolerance, ridicule, contempt for any persons or group of persons.	F/WW	Dis.
5	Sleeping on duty.	F/WW	Dis.
6	Failure to report equipment defects.	F/WW	Dis.
7	Failure to report injury on duty.	F/WW	Dis.
8	Failure to carry out lawful instruction given by person in authority.	F/WW	Dis.
9	Assault / Threatened	F/WW	Dis.
10	Insubordination-insolence towards a superior, customer or member of public shown by demeanor, action or words.	F/WW	Dis.
11	Absence from normal place of work without proper reason or permission.	F/WW	Dis.
12	Failure to report breakage and / or shortage after completion of specific task.	F/WW	Dis.
13	Defacing company property with slogans / graffiti.	F/WW	Dis.
14	Behaviour which causes or may cause the company's name to come into disrepute.	F/WW	Dis.
15	Viewing of offensive material on computers.	F/WW	Dis.
16	Smoking in designated no smoking zones.	F/WW	Dis.
17	Loading illegal software or offensive material onto a company computer	F/WW	Dis.
18	Accessing information available on company computers or networks to which the employee is not properly authorized.	F/WW	Dis.
19	Purchasing computer equipment without proper authorization	F/WW	Dis.
20	Accessing information available on company computers or networks to which the employee is not properly authorized.	F/WW	Dis.
21	Insubordination – purposely ignoring a reasonable instruction from management	F/WW	Dis.
22	Poor maintenance of vehicles/ machinery/ equipment	F/WW	Dis.
23	Wastage of material	F/WW	Dis.
24	Negligent damage to equipment, material or company property	F/W	Dis.
25	Malicious damage to equipment, material or company property	F/WW	Dis.
26	Injury to others through negligence or horseplay	F/WW	Dis.
27	Disorderly behaviour	F/WW	Dis.
28	Washing/Cleaning vehicles and vessels during working hours without authorization	F/WW	Dis.
29	Retrieval of golf balls during working hours, unless employee comes across a golf ball, whilst conducting an authorised task.	F/WW	Dis.
30	Selling golf balls to golfers and or home owners or any other person other than the CBCHOA pro shop	F/WW	Dis.
31	Use of company telephone for personal phone calls without authorization	F/WW	Dis.

No.	Offences	First Offence
GRADE THREE OFFENCES		
1	Bribery, theft, fraud or removal of company material from employer, other employees or customers / public.	Dis.
2	Gross insubordination or insolence.	Dis.
3	Under the influence of drugs or alcohol or failure to submit to a breathalyzer test.	Dis.
4	Being in possession of drugs or alcohol or non-medical drugs on work premises.	Dis.
5	Drinking or taking illegal drugs on duty.	Dis.

6	Use of employer's vehicle without authority.	Dis.
7	Using of client's vehicle, equipment or machinery without authority.	Dis.
8	Absence of work without lawful excuse for three consecutive days or more.	Dis.
9	Altering of a medical certificate or using a false medical certificate.	Dis.
10	Illegal industrial action.	Dis.
11	Inciting other employees to participate in illegal industrial action, including but not limited to work stoppages, strikes and go-slows.	Dis.
12	Assault / fighting on company premises	Dis.
13	Attempted assault causing or attempting to cause bodily harm with malicious intent, to any employee or customer.	Dis.
14	Intimidation or inciting employees to violence in any form.	Dis.
15	Unauthorized use of employer's property for private purposes.	Dis.
16	Causing damage to employer's property or products through negligence. Cost is over R1000.	Dis.
17	Brandishing or wielding of dangerous or traditional weapons or use or threat of use of such weapon.	Dis.
18	Being found in unauthorized possession of companies, employee's or customer's property.	Dis.
19	Stealing property belonging to the company, employer or a customer.	Dis.
20	Dishonesty: Bribery or corruption, false information or evidence, forgery.	Dis.
21	Sabotage by damaging equipment or by interrupting any supply of power, materials or services necessary for the operation of the company.	Dis.
22	Willful refusal to carry out a proper assignment/instruction or refusal to do work for which employee was employed or refusal to undergo training.	Dis.
23	Failure to observe company safety procedures and drills, where such failure causes damage to property or injury to people.	Dis.
24	Conviction of any criminal offence which is not immediately disclosed to the company.	Dis.
25	Clocking / swiping other employee's clock cards.	Dis.
26	Conducting unauthorized meetings on company premises.	Dis.
27	Unauthorized displaying or distribution of literature, posters, images.	Dis.
28	Sexual harassment	Dis.
29	Disclosure, either verbal or written, of any information whatsoever that is judged to be harmful to the company's economic interests	Dis.
30	Money lending	Dis.
31	General criminal offences committed on company property (Assault, Crimean, Injury, soliciting or accepting bribes, blackmail etc).	Dis.
32	Removing a computer, software or hardware from company premises without authorization from CBCHOA Chairman (as per theft / unauthorized possession of company property)	Dis.
33	Fraudulent time keeping	Dis.
34	Intimidation or incitement to violence, victimization, racial discrimination	Dis.
35	Creation of and/or presenting false documentation/ information/evidence for personal gain	Dis.
36	Unauthorized acceptance of gifts, cash and/or any other form of remuneration	Dis.

Note 1

The Company reserves the right to take disciplinary action against any employee for good cause, although such cases may not be stated herein.

Note 2

The Company reserves the right to amend, add to, or verify any provision of this code or procedures after consultation with the representative union or employee representative body.

APPEAL PROCEDURE

The appeal procedure is followed when an employee is not satisfied with the outcome of a formal enquiry resulting in a warning being given or a dismissal, or some other penalty. An employee who is dissatisfied with a dismissal decision and has valid grounds in terms of the substantive or procedural fairness of that decision may request an appeal. This must be made to a Board member in writing within 3 working days of the disciplinary

enquiry and must specify the reasons why the case should be reviewed. The Estate Manager will convene an appeal panel consisting of two members of the Board.

The appeal panel is responsible for:

- Reviewing the records of the disciplinary enquiry and making a decision.
- Conducting further investigations and consideration of any other evidence that it deems necessary.
- Calling any of the parties involved to clarify any aspect of the case on appeal
- Communication of the decision, in writing to the employee

The decision of the appeal panel is final.

Refer to Formal Disciplinary Notification Form attached to this policy and procedure

Refer to Guidelines of Formal Disciplinary process attached to this policy and procedure

GRIEVANCE PROCEDURE

Purpose

The purpose of this policy is to provide employees with the necessary information regarding grievances they may have and to give management guidelines in dealing with grievance issues. Counselling is the preferred option for dealing with potential conflict in the workplace and for preventing grievances from developing. When all other options have been explored a grievance may be lodged.

The objective of the grievance procedure is to

- Address employee concerns / complaints speedily, effectively and ensure fair, just and equitable treatment.
- To contribute to peace and productivity in the Company
- To provide individual employees with an effective method of raising grievances with management
- To provide management with guidelines to address and settle it on time and at the lowest appropriate level
- A problem solving mechanism that forms part of the individual contract of employment and may result in corrective action where there are legitimate grounds

The procedure excludes:

- Any matters arising from the application of disciplinary action which is dealt with in terms of an appeal/review procedure.
- Attempts to amend any substantive condition of employment for any category of employees.
- The representative shall not be a member of the Board or a person who may be affected in the case\an external person who is not appropriately affiliated to CBCHOA.

Procedure:

The parties commit themselves to dialogue as a preferred means to resolving differences and accordingly an employee shall have the right to raise any legitimate grievance without prejudice to his standing with the company or to his job security. A grievance may be defined as any bona fide feeling of dissatisfaction on the part of any employee in connection with his workplace or condition of employment that is brought to the attention of the Company.

Step 1: The employee shall first raise his grievance verbally with an immediate superior. The employee may be accompanied / assisted by a representative from his own constituency at a mutually convenient time, if he/she so wishes. If the matter is not resolved within two (2) two days, the employee can avail himself of the following step. At each level the person hearing the grievance concerned is required to document information, consider the facts, make a decision and give the employee written feedback.

Step 2: The employee assisted by his representative may then commit the grievance in writing on a grievance form. The employee may request a meeting with the Estate Manager. If the grievance is not settled within (2) two working days or such longer period as the parties may agree, the employee may avail himself of the next step.

Step 3: If the grievance is still not resolved, the employee may appeal to CBCHOA Chairman. The meeting to hear this appeal is to be held within five (5) five working days of the request.

Step 4: Should the matter remain unresolved after Step 3 above, then either party may declare a dispute in terms of the dispute procedure.

The following are important in raising or processing a grievance:

- No employee will be victimized or punished or have disciplinary action instituted against him/her because he she raised or lodged a grievance.
- The employee may be assisted by a fellow employee at any stage in the grievance process to assist him/her in completing the grievance form and/or represent the employee during the grievance hearing by presenting his/her case in questioning the respondent and witnesses.

APPROVED BY: CBCHOA CHAIRMAN _____ **DATED** _____

FORMS :

Formal Disciplinary Enquiry Notification

Employee: _____ Position: _____

Reporting to: _____ Date: _____ Time: _____

NOTIFICATION OF FORMAL DISCIPLINARY ENQUIRY

You are hereby notified that a full disciplinary enquiry into the alleged transgression, as detailed hereunder, is to be held as follows:

Date: _____ **Time:** _____

Venue: at the St. James Clubhouse at Caribbean Beach Club, Kosmos, Hartbeespoort.

Brief details of alleged transgression:

You are charged with the offence of _____

of such duties in that:

1. On or about _____

Please note that your rights at the enquiry are as follows:

- The right to be representation by a fellow employee and to state your case
- To plead factors in mitigation of sanction
- The right to call and cross-examine witnesses.
- The right to an interpreter, if required.
- Should you fail to present yourself at the enquiry, the enquiry may be held in your absence without further notice to you.

Handed to the employee on (date): _____ Signature of Manager: _____

ACKNOWLEDGEMENT OF RECEIPT BY EMPLOYEE

I, the undersigned, hereby acknowledge receipt of the Notification to Attend a Disciplinary Enquiry issued to me on this day. I further acknowledge that the contents of this Notification have been read and explained to me. Should I fail to attend the disciplinary enquiry, the enquiry may be held in my absence without further notice to me.

Signature: _____ Date: _____

ACKNOWLEDGEMENT OF RECEIPT – WITNESS (In the event employee refuses to acknowledge receipt)

I, the undersigned, hereby acknowledge that the Notification to Attend a Disciplinary Enquiry was issued to on this day. I further acknowledge that the contents of this Notification were read and explained to him/her.

Signature: _____ Date: _____