

Disciplinary Code – Procedures for Administration



Office of the Contractor General

Disciplinary Code – Procedures for Administration

Background

The Organization has over the years operated without a structured Disciplinary Code. It has, however been recognized that it is an important tool which is deliberately intended to achieve balance and objectivity in the decision making process.

The Organization has developed a Disciplinary Code which covers a variety of offences, using a five point scale which directs the actions to be taken based upon frequency. In an effort to ensure that there is transparency in the application of the Disciplinary Code, procedures will be developed for support accordingly.

Procedures

- 1.0 An Advisory Disciplinary Committee (ADC) will be established and constituted as follows:-
 - Director, Corporate Services (Chairman)
 - Human Resource Manager (Secretary)
 - Director (to be appointed by the Contractor General)
 - Ethics Officer
 - Staff Member (to be nominated by the general staff annually)
 - Provisional Member (selected by the ADC if a member becomes the subject of discussion)
- 2.0 An alternate staff member shall be nominated by the staff body, in the event that the appointed staff member is unavailable or the subject of disciplinary action.
- 3.0 The nominated staff member shall not be a Director.
- 4.0 The role of the Committee will be as follows:-

- Conduct investigations concerning breaches in the Disciplinary Code at the request of the Human Resource Manager, through the Director, Corporate Services.
 - Prepare investigative report, make recommendations and submit same to the Contractor General for his consideration.
- 5.0 The quorum shall be three (3) members including the Chairman. In the case of a deadlock, the Chairman shall have the casting vote.
 - 6.0 All matters will be discussed in confidence. Where it is found that a member has divulged privileged information, he/she shall be subjected to disciplinary actions as outlined in the Disciplinary Code.
 - 7.0 Matters that do not require an investigation will not be brought before the Committee. The Contractor General shall make that determination, without the Committee deliberating or considering the matter.
 - 8.0 The procedures herein are subject to the discretion of the Contractor General, and if he so sees fit, he can instruct the Director, Corporate Services to conduct an independent investigation for his consideration.
 - 9.0 Where a member of the Committee is the subject of a disciplinary action, he/she shall be excused from the sitting(s) of the Committee of which he is the subject. In any such case a Provisional Member will be appointed to the Committee discussing this matter.
 - 10.0 The Human Resource Manager will have primary responsibility to prepare all correspondence concerning employees.
 - 11.0 These procedures will be reviewed/updated annually by the Director, Corporate Services. This will be done in consultation with the Contractor General and the Leadership Team, then circulated to staff for feedback, however, the Contractor General will make the final determination and give final approval of any proposed changes.



DISCIPLINARY CODE

Ref.	Types of Offence	1 st Offence	2 nd Offence	3 rd Offence	4 th Offence	5 th Offence
1.0	Disclosure of information as per Contractor-General Act	Dismissal and report to DPP				
2.0	Lateness (6 or more times within a month) without permission – within a year	1st written warning and counseling	2nd Written warning and counseling	Final written warning	Hearing with Contractor General	No increment for the period
3.0	Absence without leave for five (5) consecutive days	Considered to have abandoned the job				
4.0	Failure to observe safety/security rules endangering employees	Verbal warning/ Dismissal	Written warning and counselling	Suspension (1-5 days)	Dismissal	
5.0	Use of indecent language on Company premises	Written warning/ suspension (1-5 days)	Suspension (1-5 days)/ Dismissal			

Ref.	Types of Offence	1 st Offence	2 nd Offence	3 rd Offence	4 th Offence	5 th Offence
6.0	Horseplay or other similar conduct likely to cause injury to persons or property	Verbal warning and counseling	Suspension (1-5 days)	Dismissal		
7.0	Gambling on Company property	Dismissal				
8.0	Unauthorized possession of dangerous weapon, unlicensed firearm explosive devices or other dangerous substances (e.g. acid)	Dismissal/report to the relevant authorities				
9.0	Insubordination and or use of abusive language to fellow employees or superior	Written warning/ suspension (1-5 days)	Suspension (5- 10 days)/ Dismissal	Dismissal		

Ref.	Types of Offence	1 st Offence	2 nd Offence	3 rd Offence	4 th Offence	5 th Offence
10.0	Reporting to work under the influence of liquor or drugs	Sent home with warning letter/ counselling	Suspension (5-10 days)/ counselling	Dismissal		
11.0	Causing damage to property belonging to the company, employees or visitors: a) Intentionally b) Negligence (" <i>The failure to use reasonable care, which includes the doing of something which a reasonably prudent person would not do, or the failure to do something which a reasonably prudent person would do under like circumstances.</i> ") i) Minor	Dismissal & report to the relevant authorities Verbal or written warning				

	ii) Major	Suspension (1-5 days)	(1-5 days) Dismissal			
Ref.	Types of Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
12.0	Failure to report damage to company property	Written warning and counselling	Suspension (1-5 days)	Dismissal		
13.0	Using Company's vehicles, equipment or machinery without permission	Written warning and counselling	Suspension (1-5 days)	Dismissal		
14.0	Fighting: a) Fellow employee b) Supervisor	Suspension (1-5 days) Suspension (1-5 days)/ Dismissal	Dismissal Dismissal			

Ref.	Types of Offence	1 st Offence	2 nd Offence	3 rd Offence	4 th Offence	5 th Offence
15.0	Circulation of subversive, anecdote, deleterious and/or discriminative matter/(s) about the organization and/or fellow employees	Suspension (1- 5 days)/ Dismissal	Dismissal			
16.0	Drinking of liquor on the job during official working hours. Mon – Thur 8:30am – 5:00 pm Fridays – 8:30am – 4:00 pm	Written warning and counselling	Suspension (1- 5 days)	Dismissal		
17.0	Smoking and/or possession of illicit drugs/controlled substances on the Office premises	Dismissal				

18.0	Stealing company property	Dismissal					
Ref.	Types of Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence	
19.0	Being found guilty of a Criminal Offence	Dismissal					
20.0	Soliciting and/or accepting monies or gifts from the public or any other person with the expectation to receive favours in relation to the job	Dismissal					
21.0	Threatening or intimidating fellow employees	Suspension (1-5 days)	Dismissal				
22.0	Loafing or sleeping on the job during normal working hours	Written warning and counseling	Suspension (1-5 days)	Dismissal			

Ref.	Types of Offence	1 st Offence	2 nd Offence	3 rd Offence	4 th Offence	5 th Offence
23.0	Unsatisfactory job performance (Below good on Performance Objectives) as per the Performance Management Appraisal System	Written warning and counselling	Suspension (5-10 days)	Dismissal		
24.0	Sexual harassment (as defined in the Sexual Harassment Policy)	Suspension (5-10 days)	Dismissal			
25.0	Not wearing proper clothing as per dress code	Sent home to change and return/counselling	Sent home (not paid for the day)/written Warning	Suspension (1-5 days)	Dismissal	

26.0	Failure to adhere to documented Policies, Procedures & Guidelines	Written warning & Counseling	Suspension (1-5 days)	Dismissal		
Ref.	Types of Offense	1st Offense	2nd Offense	3rd Offense	4th Offense	5th Offense
27.0	Committing fraud within the organization	Dismissal and report to relevant authorities				
28.0	Failure to report irregularities or impropriety to authorized Officer (s)	Written warning/ Suspension (1-5 days)/ Dismissal	Dismissal			
29.0	Gross dereliction of duties	Suspension (5-10 days)/ Dismissal	Dismissal			
30.0	Poor judgment that jeopardize the organization (Acting, exercising a discretion and/or making and executing a decision or plan, without the prior	Written warning/ Suspension (5-10 days)/ Dismissal	Suspension (5-10 days)/ Dismissal	Dismissal		

	approval of the Contractor General, in a manner which adversely affects the organisation”)					
Ref.	Types of Offence	1st Offence	2nd Offence	3rd Offence	4th Offence	5th Offence
31.0	Divulging of privileged Information from Disciplinary Committee (for Committee Members)	Removal from Committee. Further assessment will also be made as to whether other action can be taken pursuant to the Disciplinary Code.				
32.0	Falsification of documents and information or intentionally withholding critical information	Dismissal				
33.0	Where required in accordance with the Corruption (Prevention) Act, failure to submit Statutory Declaration of Assets, Liabilities and	Dismissal & report to the relevant authorities				

