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Policy No: 9

1. Company Disciplinary Policy Procedure and Disciplinary Appeal Procedure

2. Company Grievance Policy Procedure and Company Grievance Appeals Procedure

This Policy & Procedures are not contractual and do not form part of your contract of employment.

Approved & Authorised by:

Print Name:

Mr Paul Tunley

Date:

7th October 2013



1. Company Disciplinary Procedure and Disciplinary Appeal Procedure

Company Disciplinary Procedure

The Principles

Your attention is drawn to the following rules and guidelines, which have been devised for your own protection and to ensure company efficiency and standards.

Set out below is a list, although not exhaustive, of examples of behaviour which would render an employee liable to disciplinary action:

- Poor performance regarding quality and/or quantity of work;
- Unauthorised / unreasonable absence;
- Poor timekeeping / persistent lateness.

As stated the list is not exhaustive and there are other offences where an employee may be liable to disciplinary action.

In certain circumstances offences are so serious that they are deemed to be acts of gross misconduct where an employee may be liable to summary dismissal as in the list set out below:

- Assault on another employee;
- Working under the influence of drugs / alcohol;
- Theft, from the company, another employee, customers or suppliers;
- Fraud or falsification of company documents;
- Breach of confidentiality relating to company matters;
- Misconduct at any time which brings the company name into disrepute;
- Smoking in 'no smoking' areas on company premises;
- Use of abusive or threatening language / behaviour;
- Serious insubordination;
- Misuse of company e-mail / internet / computer systems;
- Incitement to or acts of discrimination;
- Any deliberate breach of the current Health and Safety at Work Act.

The list, as before, is not exhaustive and there are other circumstances of gross misconduct where an employee may be liable to summary dismissal.

The procedure sets out the process to be followed when disciplinary action is taken.

The key aim of the procedure is to be corrective rather than punitive. The objective is to help an individual to improve where their performance or conduct has failed to meet the required standard. The procedure is designed for all matters to be dealt with quickly, with an investigation of the circumstances before action is taken.



The employee has the right to be accompanied by a colleague of his/her choice or trade union official at all formal disciplinary hearings. The employee will be given notice of such a meeting and every effort is to be made to ensure that the time and date are convenient to the accompanying person.

Prior to any decision and/or action being taken, the employee will be given the opportunity to defend the actions in question.

If, following the hearing, a decision is made to impose disciplinary sanctions, the employee will be advised in writing. The confirmation of the decision will contain the reasons for the sanction being imposed and the improvement required in performance or conduct. The employee will also be reminded that failure to improve performance or conduct will result in further disciplinary action being taken. The letter will also advise the employee as to the time limit set on this warning and his/her right of appeal.

Any employee who feels he/she has been unfairly disciplined has the right to invoke the company's appeals procedure.

Stages of procedure

Depending on the circumstances and the seriousness of the offence, the procedure will be introduced at one of three stages. At each stage, an investigation will be carried out and the employee will be given every opportunity to state his/her case and offer any extenuating circumstances. The employee will also have the right to be accompanied by a colleague of his/her choice or a trade union official. There will also be the right of appeal.

For Stages 1 to 3

The employee will be notified in writing of the reason why disciplinary action is being considered and reminding them of their right to be accompanied by a colleague or trade union official. A face to face meeting will be arranged giving adequate notice for both parties to consider the complaint.

Stage 1: First written warning

The employee will be interviewed by his/her manager and will be issued, if appropriate, with a first written warning.

The employee will receive a copy of the warning and a copy will be placed in his/her personal file. The warning will state the nature of the offence, the improvement required and the consequences of failing to reach and maintain the standard required.

The warning will stay live on the employee's file for a period of twelve months.

Stage 2: Final written warning

The employee will again be interviewed by his/her manager and, if appropriate, receive a final warning. He/she will receive a written copy of the warning and one copy will be placed in his/her personal file. The written warning will confirm that this is a final warning and the consequence of a further offence. In most cases, further disciplinary action will constitute dismissal.

The warning will stay live on the employee's file for a period of twelve months.

Issue 3



Stage 3: Dismissal

At this stage, the employee will be interviewed by his/her manager and, if appropriate, following an investigation, the employee will be dismissed. Written confirmation of the reason for the dismissal will be given to the employee, together with confirmation of notice entitlement, if any, and date of termination.

Summary dismissal

Summary dismissal is a legal term describing instant dismissal for an offence of such a serious nature that no notice is required. An employee who has committed such an offence will be dismissed without notice or pay in lieu of notice. In this event, the employee shall first be suspended on full pay until such time as a full investigation can be carried out. If following the investigation, the facts indicate that dismissal would be appropriate, the employee will be required to attend a disciplinary meeting with his/her manager and a more senior manager. The employee shall have the right to be accompanied by a work colleague or trade union official and each side shall be given the opportunity to put its case before the final decision is taken. The employee shall be reminded of his/her rights to appeal through the company's disciplinary appeals procedure. The decision will be confirmed to the employee in writing including details of the appeal procedure.

Conclusion

The company hopes that, in practice, it will only be necessary to resort to the use of formal disciplinary sanctions when all other attempts to improve an employee's behaviour have failed.

Company Disciplinary Appeals Procedure

If an employee wishes to appeal against the decision he/she will inform the company in writing, within five working days of the original decision being communicated to them.

Upon receipt a meeting will be arranged as soon as possible from receipt of the request (both parties should take all reasonable steps to attend the meeting). The employee will be offered the right to be accompanied by a colleague of his/her choice or trade union official.

The employee will be advised of the outcome of the hearing within a maximum of five working days from the date of the hearing. The outcome will also be confirmed to the employee in writing.

It is the company's intention that all appeals will be heard as soon as possible by a more senior manager/director. However, it may be necessary, owing to the nature of the offence and any subsequent investigation, which may be required, to allow a few days for a hearing.



2. Company Grievance Procedure and Company Grievance Appeals Procedure

Company Grievance Procedure

Step 1

The employee should bring the grievance to the attention of the person to whom he/she normally reports. All matters relating to the grievance must be presented in writing: no verbal issues will be considered.

Step 2

Upon receipt a meeting will be arranged (which both parties should take all reasonable steps to attend). The employee will be offered the right to be accompanied by a colleague of his/her choice or trade union official. After the meeting the employee will be informed of the decision in writing and of their right to appeal.

Step 3

Company Grievance Appeals Procedure

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The employee will be advised of the outcome of the hearing within a maximum of five working days from the date of the hearing. The outcome will also be confirmed to the employee in writing.

It is the company's intention that all appeals will be heard as soon as possible by a more senior manager/director. However, it may be necessary, owing to the nature of the offence and any subsequent investigation, which may be required, to allow a few days for a hearing.

If the employee is unable to attend the meeting then by agreement of both parties the response to the grievance or the appeal (as appropriate) can be set out in writing to the employee.

