

## **DISCIPLINARY PROCEDURE**

### **1. Purpose of the procedure/Introduction**

CYL's aim is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when the company rules are broken and provides a fair, effective and consistent method of dealing with disciplinary matters.

### **2. Principles**

- Employees are expected to know the standard of conduct or work expected of them.
- Employees will be provided with details of the allegations and any evidence in support of this prior to the meeting and they will be given the opportunity to state their case.
- An employee is entitled to be accompanied by a trade union representative or work colleague at the meeting.
- No employee will be dismissed for a first breach of discipline, except in cases of gross or severe misconduct.
- Employees have the right to appeal against any disciplinary action taken.

### **3. Informal discussions**

Before taking formal disciplinary action, the [manager/supervisor] will make every effort to resolve the matter by informal discussion with you. Only where this fails to bring about the desired improvement or where informal discussion is not probable/appropriate the formal disciplinary procedure will be implemented.

### **4. First or formal verbal warning**

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded but disregarded after one year of satisfactory service, providing there have been no subsequent disciplinary issues.

## **5. Written warning**

If the conduct is regarded as more serious or the employees work or conduct are considered unsatisfactory after they have received a formal verbal warning, a disciplinary meeting may be called.

After a period of six to nine months (dependant on allegation), if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

Should a formal hearing be called you will be notified in writing of notice of intended meeting within five working days including copy of disciplinary procedure. The meeting will be chaired by a manager who will question you based on the information provided and allow you to defend any allegations made against you. The meeting will then be adjourned for the facts to be considered and if possible, you will be recalled where any decision will be discussed and you will receive a written copy of any decision within five working days.

## **6. Final written warning**

If the employee's work or conduct fails to improve, or where the allegation is particularly serious, the manager will follow the same procedure for a written warning. If proven, a final warning, will be given to the employee warning that any further misconduct will result in a dismissal with appropriate notice. Employees will be paid for this notice period.

After a period of nine to twelve months, if no further disciplinary action has been found necessary and the issue has been resolved, the warning will expire.

## **7. Gross/Severe misconduct**

An employee can be dismissed without notice on grounds of gross/severe misconduct. Incidents pertaining to inappropriate conduct deemed gross or severe may include: discrimination, bullying and harassment, gross negligence or insubordination, serious breaches of health and safety protocol, Theft.

The employee may be suspended with pay while the circumstances of the alleged incident are investigated.

A dismissal must be confirmed in writing within ten working days of the date of the disciplinary interview.

## **8. The right to appeal**

If the employee wishes to appeal against any disciplinary decision, they must appeal, in writing, within five working days of being notified of the decision.